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HISTORY OF SCOTLAND.

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THE HISTORY OF SCOTLAND

FROM THE

ACCESSION OF ALEXANDER III. TO THE UNION.

BY

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IN FOUR VOLUMES.

VOL. I.

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PREFACE.

I HAVE commenced the HISTORY OF SCOTLAND at the accession of Alexander the Third, because it is at this period that our national annals become particularly interesting to the general reader. During the reign of this monarch, England first began to entertain serious thoughts of the reduction of her sister country. The dark cloud of misfortune which gathered over Scotland immediately after the death of Alexander, suggested to Edward the First his schemes of ambition and conquest; and perhaps, in the history of Liberty, there is no more memorable war than that which took its rise under Wallace in 1297, and terminated in the final establishment of Scottish independence by Robert Bruce in 1328.

In the composition of the present work, I have anxiously endeavoured to examine the most authentic sources of information, and to convey to my reader a true picture of the times without prepossession or partiality. To have done so, partakes more of the nature of a grave duty than of a merit; and even after this has been accomplished, there will remain ample room for many imperfections. If, in the execution of my plan, I have been obliged to differ on some points of importance from authors of established celebrity, I have fully stated the grounds of my opinion in the Notes and Illustrations, which are printed at the end of each volume; and I trust that I shall not be blamed for the freedom of my remarks, until the historical authorities upon which they are founded have been examined and compared.

EDINBURGH, *April* 12, 1828.

NOTE TO THE SECOND EDITION.

THIS Second Edition has been carefully corrected; the authorities have been re-examined; the quotations and references compared and tested by the originals; and the author has now only to add an expression of his gratitude for the kind spirit with which an arduous attempt, to build the HISTORY OF SCOTLAND upon unquestionable muniments, has been received.

LONDON, *March* 23, 1841.

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HISTORY OF SCOTLAND.

CHAPTER I.

ALEXANDER THE THIRD.

1249—1292.

ALEXANDER the Third had not completed his eighth year, when the death of the king, his father, on the 8th July 1249, opened to him the peaceable accession to the Scottish throne.[1] He was accordingly conducted by an assembly of the nobility to the Abbey of Scone, and there crowned.[2]

A long minority, at all times an unhappy event for a kingdom, was at this time especially unfortunate for Scotland. The vicinity of Henry the Third of England, who, although individually a weak monarch, allowed himself sometimes to be directed by able and powerful counsellors, and the divisions between the principal nobility of Scotland, facilitated the designs of ambition, and weakened the power of resistance; nor can it be doubted, that during the early part of this reign, the first approaches were made towards that great plan for the reduction of Scotland, which was afterwards attempted to be carried into effect by Edward the First, and defeated by the bravery of Wallace and Bruce. But in order to shew clearly the state of the kingdom upon the accession of this monarch, and more especially in its relations with England, it will be necessary to go back a few years, to recount a story of private revenge which happened in the conclusion of the reign of Alexander the Second, (1242,) and drew after it important consequences.

A tournament, the frequent amusement of this warlike age, was held near Haddington, on which occasion Walter Bisset, a powerful baron who piqued himself upon his skill in his weapons, was foiled by Patrick, earl of Athole.[3] An old feud which existed between these families embittered the defeat; and Athole was found mur-

[1] Winton, vol. i. p. 380, book vii. chap. x. Mathew Paris Hist. p. 770.

[2] Alexander the Third was son of Alexander the Second, by Mary, daughter of Ingelram de Couci. Imhoff. Regum Pariumque Magnæ Britt. Histor. Genealogica, part i. p. 42. The family of De Couci affected a royal pomp, and considered all titles as beneath their dignity. The *Cri de Guerre* of this Ingelram, or Enguerrand, was—

> Je ne suis Roy, ni Prince aussi.
> Je suis le Seigneur de Couci.

On account of his brave actions, possessions, and three marriages with ladies of royal and illustrious families, he was surnamed Le Grand.—Winton, vol. ii. p. 432.

[3] Henry, earl of Athole, had two daughters, Isobel and Fernelith. Isobel married Thomas of Galloway. Their only son was Patrick, earl of Athole. Fernelith married David de Hastings. — Hailes' Annals, vol. i. p. 157. Fordun a Goodal, vol. ii. p. 72. Math. Paris, p. 586.

dered in his house, which, probably for the purpose of concealment, was set on fire by the assassins. The suspicion of this slaughter, which, even in an age familiar with ferocity, seems to have excited unwonted horror, immediately fell upon the Bissets; and although Walter was the person present at the tournament, the popular clamour pointed to William, the chief of the family.[1] He was pursued by the nobility, who were incited to vengeance by the Earl of March and David de Hastings; and would have been torn to pieces, had not the interference of the king protected him from the fury of the friends of Athole. Bisset strenuously asserted his innocence. He offered to prove that he had been fifty miles distant from Haddington when the murder was committed; he instantly procured the sentence of excommunication against the assassins to be published in every chapel in Scotland; he offered combat to any man who dared abide the issue; but he declined a trial by jury on account of the inveterate malice of his enemies. The king accepted the office of judge: the Bissets were condemned, their estates forfeited to the crown, and they themselves compelled to swear upon the Holy Gospel that they would repair to Palestine, and there, for the remaining days of their lives, pray for the soul of the murdered earl.

Walter Bisset, however, instead of Jerusalem, sought the English court.[2] There, by artfully representing to the king that Alexander owed him fealty, and that, as lord superior, he ought to have been first consulted before judgment was given, whilst he described Scotland as the ally of France and the asylum of his expatriated rebels,[3] he contrived to inflame the passion of the English monarch to so high a pitch, that Henry determined on an immediate invasion. Nor was the temper with which Alexander received this information in any way calculated to promote conciliation. To the complaints of the King of England, that he had violated the duty which he owed to him as his Lord Paramount, the Scottish monarch is said to have answered, that he neither did, nor ever would, consent to hold from the King of England the smallest portion of his kingdom of Scotland. His reply was warmly seconded by the spirit of his nobility. They fortified the castles on the marches: and the king soon found himself at the head of an army of nearly a hundred thousand foot and a thousand horse. Henry, on the other hand, led into the field a large body of troops, with which he proceeded to Newcastle. The accoutrements and discipline of these two powerful hosts, which were commanded by kings, and included the flower of the nobility of both countries, are highly extolled by Mathew Paris.[4] The Scottish cavalry, according to his account, were a fine body of men, and well mounted, although their horses were neither of the Spanish nor Italian breed; and the horsemen were clothed in armour of iron network. In the number of its cavalry the English army far surpassed its rival force, including a power of five thousand men-at-arms, sumptuously accoutred. These armies came in sight of each other at a place in Northumberland called Ponteland; and the Scots prepared for battle, by confessing themselves to their priests, and expressing to each other their readiness to die in defence of the independence of their country. As Alexander,

[1] Lord Hailes remarks, vol. i. p. 157, that Fordun says the author of the conspiracy was Walter. Fordun, on the contrary, all along ascribes it, or rather says it was ascribed, to William Bisset.—Fordun a Goodal, vol. ii. pp. 72-74. The name of the Bisset banished from Scotland, as shewn in the Patent Rolls of Henry the Third, is Walter.

[2] Chronicon Melross a Stevenson. Bannatyne edition, p. 156.

[3] Math. Paris, pp. 643, 645. Speed's Chronicle, p. 527. Speed ascribes the disagreement between Henry and Alexander to the influence of Ingelram de Couci; and adds, that on the death of this nobleman, the *humour* of battle—this is Nym's phrase—ceased. De Couci, in passing a river on horseback, was unseated, dragged in the stirrup, run through the body with his own lance, and drowned.

[4] M. Paris, p. 645. Chron. Melross, p. 156. Rapin is in an error when he says, vol. i. p. 318, that Alexander sent Henry word, he meant no longer to do him homage for the lands he held in England.

however, was much beloved in England, the nobility of that country coldly seconded the rash enterprise of their king, and shewed no anxiety to hurry into hostilities. Richard, earl of Cornwall, brother to Henry, and the Archbishop of York, thought this a favourable moment for proposing an armistice; and, by their endeavours, such great and solemn preparations ended in a treaty of peace, without a lance being put in rest. Its terms were just, and favourable to both countries.[1]

Henry appears prudently to have waved all demand of homage from Alexander for the kingdom of Scotland; and the Scottish monarch, on the other hand, who possessed land in England for which, although the English historians assert the contrary, he does not appear to have ever refused homage, consented, for himself and his heirs, to maintain fidelity and affection to Henry and his heirs, as his liege lord, and not to enter into any league with the enemies of England, except in the case of unjust oppression. It was also stipulated, that the peace formerly signed at York, in the presence of Otto, the Pope's legate, should stand good; and that the proposal there made, of a marriage between the daughter of the King of England and the son of the King of Scots, should be carried into effect. Alan Durward, at this time the most accomplished knight and the best military leader in Scotland, Henry de Baliol, and David de Lindesay, with other knights and prelates, then swore on the soul of their lord the king, that the treaty should be kept inviolate by him and his heirs.[2]

Thus ended this expedition of Henry's into Scotland, formidable in its commencement, but happy and bloodless in its result;[3] and such was the relative situation of the two countries when Alexander the Third, yet a boy in his eighth year, mounted the Scottish throne.

The mode in which the ceremony of his coronation was performed, is strikingly illustrative of the manners of that age. The Bishops of St Andrews and Dunkeld, with the Abbot of Scone, attended to officiate; but an unexpected difficulty arose. Alan Durward, the great Justiciary, remarked that the king ought not to be crowned before he was knighted, and that the day fixed for the ceremony was unlucky. The objection was selfish, and arose from Durward, who was then at the head of the Scottish chivalry, expecting that the honour of knighting Alexander would fall upon himself.[4] But Comyn, earl of Menteith, insisted that there were frequent examples of the consecration of kings before the solemnity of their knighthood; he represented that the Bishop of St Andrews might perform both ceremonies; he cited the instance of William Rufus having been knighted by Lanfranc, archbishop of Canterbury; and he earnestly urged the danger of delay. Nor was this danger ideal. Henry the Third, in a letter to Rome, had artfully represented Scotland as a fief of England; and had requested the Pope to interdict the ceremony of the coronation until Alexander obtained the permission of his feudal superior.[5] Fortunately the patriotic arguments of the Earl of Menteith prevailed. The Bishop of St Andrews girded the king with the belt of knighthood, and explained to him the respective oaths which were to be taken by himself and his subjects, first in Latin, and afterwards in Norman French.[6] They then conducted the boy to the regal chair, or sacred stone of Scone, which stood before the cross in the eastern division of the chapel. Upon this he sat: the crown was placed on his head, the sceptre in his hand; he was invested with the royal mantle; and the

[1] Rymer, vol. i. pp. 374, 428. Rapin's Acta Regia, by Whately, vol. i. p. 28.

[2] The original charter granted to Henry by Alexander may be found in Mathew Paris, p. 646, and in Rymer, Fœd. vol. i. p. 428. See Illustrations, A. It is curious, as shewing the state of the Scottish peerage in 1244. Neither Lesley nor Buchanan take any notice of this expedition and treaty.

[3] Tyrrel, History of England, vol. ii. p. 930.

[4] Fordun a Hearne, p. 759.

[5] Hailes, vol. i. p. 162. Rymer, vol. i. p. 463.

[6] Fordun a Goodal, vol. ii. p. 81.

nobility, kneeling in homage, threw their robes beneath his feet. A Highland sennachy or bard, of great age, clothed in a scarlet mantle, with hair venerably white, then advanced from the crowd; and, bending before the throne, repeated, in his native tongue, the genealogy of the youthful monarch, deducing his descent from the fabulous Gathelus. It is difficult to believe that, even in those days of credulity, the nobility could digest the absurdities of this savage genealogist.[1]

Henry the Third, at this time influenced by the devotional spirit of the age, had resolved on an expedition to the Holy Land; and in order to secure tranquillity to his dominions on the side of Scotland, the marriage formerly agreed on, between his daughter Margaret and the young Scottish king, was solemnised at York on Christmas day with much splendour and dignity.[2] The guests at the bridal were the King and Queen of England; Mary de Couci, queen-dowager of Scotland, who had come from France, with a train worthy of her high rank;[3] the nobility, and the dignified clergy of both countries, and in their suite a numerous assemblage of vassals. A thousand knights, in robes of silk, attended the bride on the morn of her nuptials; and after some days spent in tournaments, feasting, and other circumstances of feudal revelry, the youthful couple, neither of whom had reached their eleventh year, set out for Scotland. "Were I," says Mathew Paris, in one of those bursts of monastic eloquence which diversify his annals, "to explain at length the abundance of the feasts, the variety and the frequent changes of the vestments, the delight and the plaudits occasioned by the jugglers, and the multitude of those who sat down to meat, my narrative would become hyperbolical, and might produce irony in the hearts of the absent. I shall only mention, that the archbishop, who, as the great prince of the North, shewed himself a most serene host to all comers, made a donation of six hundred oxen, which were all spent upon the first course; and from this circumstance, I leave you to form a parallel judgment of the rest."[4]

In the midst of these festivities, a circumstance of importance occurred. When Alexander performed homage for the lands which he held in England, Henry, relying upon the facility incident to his age, artfully proposed that he should also render fealty for his kingdom of Scotland. But the boy, either instructed beforehand, or animated with a spirit and wisdom above his years, replied, "That he had come into England upon a joyful and pacific errand, and that he would not treat upon so arduous a question without the advice of the states of his kingdom;" upon which the king dissembled his mortification, and the ceremony proceeded.[5]

Alan Durward, who, as High Justiciar, was the Scottish king's chief counsellor, had married the natural sister of Alexander; and, during the rejoicings at York, was accused, by Comyn, earl of Menteith, and William, earl of Mar, of a design against the crown. The ground on which this accusation rested, was an attempt of Durward, in which he was seconded by the Scottish chancellor,[6] to procure from the court of Rome the legitimation of his wife, in order, said his accusers, that his children should succeed to the crown, if the king happened to die without heirs. From the ambitious and intriguing character of

[1] Fordun a Goodal, vol. ii. pp. 80-82. Chron. Melross, p. 219. Lord Hailes has omitted the anecdote of the Highland sennachy; but there seems no reason to doubt its authenticity. It was probably relying on this story that Nisbet has asserted, (Heraldry, vol. ii. p. iv. p. 155,) that it was a part of the coronation ceremony to repeat six generations of the king's ancestry. Martin's Western Isles, p. 241.

[2] Math. Paris, p. 829. Rymer, vol. i. p. 466. Fordun a Hearne, pp. 761, 762.

[3] Rymer, vol. i. edit. 1816, p. 278. Fordun a Hearne, p. 762.

[4] Math. Paris, p. 830. Winton, book vii. chap. x. vol. i. p. 383.

[5] Math. Paris, p. 829. Rapin's History, by Tindal, vol. iii. p. 392, 8vo.

[6] Fordun a Hearne, p. 762. Chron. Melross, p. 179. Winton, vol. i., book vii. chap. x. p. 384.

Durward, this story probably had some foundation in fact, and certain persons who were accused, actually fled from York; upon which Henry made a new appointment of guardians to the young king, at the head of whom were placed the Earls of Menteith and Mar.

The peace of Scotland was for many years after this interrupted by that natural jealousy of England, so likely to rise in a kingdom its equal in the sense of independence, although its inferior in national strength. Henry, too, adopted measures not calculated to secure the confidence of the Scottish people. He sent into Scotland, under the name of guardian to the king, Geoffry de Langley, a rapacious noble, who was immediately expelled. He procured Innocent the Fourth to grant him a twentieth of the ecclesiastical revenues of that kingdom, nominally for the aid of the Holy Land, but really for his own uses; and he despatched Simon de Montfort, the Earl of Leicester, on a mission, described as secret in his instructions,[1] but the object of which may be conjectured from the increasing animosity of the disputes between the Scottish nobility. Many English attendants, some of them persons of rank and consequence, accompanied Margaret into her new kingdom; and between these intruders and the ancient nobility of Scotland, who fiercely asserted their privileges, disputes arose, which soon reached the ears of the English court. The young queen, accustomed to the indulgence and superior refinement of her father's court, bitterly lamented that she was immured in a dismal fortress, without being permitted to have her own attendants around her person, or allowed to enjoy the society of her husband, the king.[2]

These complaints, which appear to have been highly exaggerated, and a still more horrid report that the queen's physician had been poisoned by the same party because he ventured to remonstrate against the confinement of his mistress, were not lost upon Alan Durward, the late justiciar. He had accompanied Henry in his expedition to Guienne, where, by his courage and address, he regained the confidence of that capricious monarch; and he now prevailed upon the king to despatch the Earl of Gloucester and Maunsell his chief secretary, to the Scottish court, for the purpose of dismissing those ministers who were found not sufficiently obsequious to England.[4] In sending these noblemen upon this mission, Henry solemnly engaged to attempt nothing against the person of the Scottish king, and never to insist upon his being disinherited, or upon the dissolution of the marriage settlement;[5] promises, the particular history of which is involved in much obscurity, but which strongly, though generally, demonstrate, that the English king had been accused of designs inimical to the honour and independence of Scotland. At the head of the party which steadily opposed the interested schemes of Henry, was Walter Comyn, earl of Menteith, whose loyalty we have seen insisting on the speedy coronation of the young king, when it was attempted to be deferred by Alan Durward. Many of the principal nobility, and some of the best and wisest of the clergy, were found in the same ranks.

The Earl of Gloucester and his associates accordingly repaired to Scotland; and, in concert with the Earls of Dunbar, Strathern, and Carrick, surprised the castle of Edinburgh, relieved the royal couple from the real or pretended durance in which they were held, and formally conducted them to the bridal chamber, although the king was yet scarcely fourteen years of age.[6] English influence appears now to have been predominant; and Henry, having heard of the success of his forerunners Maunsell and Gloucester, and conceiving that the time was come for the reduction of Scotland under his unfettered control, issued his writs to his military tenants,

[1] Rymer, Fœdera, vol. i. p. 523.
[2] Math. Paris, p. 908.
[3] Chron. Melross, p. 183.
[4] Rymer, Fœdera, vol. i. pp. 558, 559. See Illustrations, B.
[5] Rymer, vol. i. p. 559.
[6] Math. Paris, p. 908. Fordun a Goodal, vol. ii. p. 90, book x. chap. ix.

and assembled a numerous army. As he led this array towards the borders, he took care to conceal his real intentions, by directing, from Newcastle, a declaration, that in this progress to visit his dear son Alexander, he should attempt nothing prejudicial to the rights of the king, or the liberties of Scotland.[1] In the meantime, the Comyns collected their forces, and the opposite faction suddenly removed the king and queen to Roxburgh, in which castle Alexander received Henry, who conducted him, with pomp and acclamation, to the Abbey of Kelso. The government of Scotland was there remodelled; a new set of counsellors appointed; and the party of the Comyns, with John Baliol and Robert de Ross, completely deprived of their political influence. In the instruments drawn up upon this occasion, some provisions were inserted, which were loudly complained of as derogatory to the dignity of the kingdom; the abettors of England were stigmatized as conspirators, who were equally obnoxious to prelates, barons, and burgesses; and the Bishop of Glasgow, the Bishop elect of St Andrews, the chancellor, and the Earl of Menteith, indignantly refused to affix their seals to a deed, which, as they asserted, compromised the liberties of the country.[2]

A regency was now appointed, which included the whole of the clergy and the nobility who were favourable to England,[3] to whom were intrusted the custody of the king's person, and the government of the realm for seven years, till Alexander had reached the age of twenty-one. Henry assumed to himself the title of "principal counsellor to the illustrious King of Scotland;" and the Comyns, with Bishop Gamelin, the Earl of Mar, Baliol, Ross, and their chief accomplices, were removed from all share in the government of the kingdom.[4]

Alexander, upon his part, engaged to treat his young queen with all honour and affection; and the Earl of Dunbar, according to a common solemnity of this age, swore upon the soul of the king, that every article of the agreement should be faithfully performed. Thus ended a negotiation conducted entirely by English influence; and which, although the ambition of the Comyns may have given some plausible colour to the designs of their enemies, was generally and justly unpopular in Scotland.[5] Alexander and his queen now repaired to Edinburgh; and Henry, after having attempted to recruit his exhausted coffers, by selling a pardon to John de Baliol, and confiscating the estates of Robert de Ross, returned to commit new attacks upon the property of his English subjects.[6]

Upon his departure, Scotland became the scene of civil faction and ecclesiastical violence. There were at this time in that kingdom thirty-two knights and three powerful earls of the name of Comyn;[7] and these, with

[1] Rymer, Fœdera, vol. i. pp. 560, 561. The instrument is dated 25th August 1255.

[2] The Chronicle of Melrose, p. 181, calls the deed "nefandissimum scriptum." See Fordun a Goodal, book x. chap. ix. Winton, book vii. chap. x. vol. i. p. 385.

[3] Richard Inverkeithen bishop of Dunkeld, Peter de Ramsay bishop of Aberdeen, Malcolm earl of Fife, Patrick earl of Dunbar or March, Malise earl of Strathern, and Nigel earl of Carrick, Walter de Moray, David de Lindesay, William de Brechin, Robert de Meyners, Gilbert de Hay, and Hugh Gifford de Yester, were the heads of the English party. Rymer, Fœdera, vol. i. pp. 565-567.

[4] Rotul. Patent. 39 Hen. III. m. 2, in protectionibus duabus pro Eugenio de Ergadia.

[5] Winton, book vii. chap. x.—

> Thare wes made swylk ordynans,
> That wes gret grefe and displesans
> Till of Scotland ye thre statis,
> Burgens, Barownys, and Prelatis.

Nothing can be more slight or inaccurate than the account of the early transactions of Alexander's reign, to be found in Buchanan, Boece, and Major. Nor are our more modern historians, who have not submitted to the task of examining the original authorities, free from the same fault. Maitland gives almost a transcript of Buchanan. Lingard, the author of a valuable history of England, has advanced opinions regarding the conduct of Henry the Third and the once keenly-contested subject of homage, which do not appear to me to be well founded: and even Hailes has not exposed, in sufficiently strong colours, that cunning and ambition in the English king, which, under the mask of friendship and protection, concealed a design against the liberties of the kingdom.

[6] Mathew Paris, p. 911.

[7] Fordun a Goodal, vol. ii. p. 92.

their armed vassals, assisted by many of the disgraced nobility, formed an effectual check upon the measures of the regency. Gamelin, the Bishop elect of St Andrews, and the steady enemy of English influence, unawed by his late removal, procured himself to be consecrated by the Bishop of Glasgow: and although placed without the protection of the laws, he yet, in an appeal to the court of Rome, induced the pope to excommunicate his accusers, and to declare him worthy of his bishopric.[1] Henry, enraged at the bold opposition of Gamelin, prohibited his return, and issued orders to arrest him if he attempted to land in England; while the regents performed their part in the persecution, by seizing the rich revenues of his see.[2]

In the midst of these scenes of faction and disturbance, the King and Queen of Scotland proceeded to London on a visit to their father, and were received with great magnificence. They were entertained at Oxford, Woodstock, and in London. Tents were raised in the meadows for the accommodation of their followers; and Henry renewed to Alexander a grant of the honour of Huntingdon, which had been held by some of his predecessors.[3] The party of the Comyns, however, were slowly regaining ground. The pope, by his judgment in favour of Gamelin, espoused their quarrel; and they soon received a powerful support in Mary de Couci, the widow of Alexander the Second, and John of Acre her husband, who at this time passed through England into Scotland.[4] This was indeed a favourable conjuncture by the delegates of the pope, to publish the sentence of excommunication against the counsellors of the king. The ceremony, in those days an affair of awful moment, was performed by the Bishop of Dumblane, and the Abbots of Jedburgh and Melrose, in the abbey church of Cambuskenneth, and repeated, "by bell and candle," in every chapel in the kingdom.[5]

To follow this up, the Comyns now assembled in great strength: they declared that the government of the kingdom had been shamefully mismanaged,—that foreigners were promoted to the highest offices,—that their sovereign was detained in the hands of excommunicated and accursed persons,—and that an interdict would soon be fulminated against the whole kingdom.[6] Finding that their party increased in weight and popularity, they resorted to more desperate measures. Under cover of night they attacked the court of the king, which was then held at Kinross; seized the young monarch in his bed; carried him and his queen before morning to Stirling; made themselves masters of the great seal of the kingdom; and totally dispersed the opposite faction. Nor were they remiss in strengthening their interest by foreign alliance. They entered into a remarkable treaty with Wales—at this time the enemy of England—which, with a wisdom scarcely to be looked for in those rude times, included in its provisions some important regulations regarding the commerce of both countries.[7]

Alan Durward meanwhile precipitately fled to England;[8] and the Comyns, eager to press their advantage to the utmost, assembled their forces, and marched with the king against the English party. A negotiation at length took place at Roxburgh; and the nobility and principal knights, who had leagued with Henry, engaged to submit themselves to the king and the laws, and to settle all disputes in a conference to be held at Forfar. This was merely an artifice to gain time, for they immediately fled to England; and the Earls of Hereford and Albemarle, along with John de Baliol, soon after repaired to Melrose, where the Scottish king

1 Chron. Melross, p. 181. Hailes, vol. i. p. 170, 4to.
2 Rymer, Fœd. vol. i. p. 652.
3 Math. Paris, p. 930.
4 Rymer, vol. i. p. 625.
5 Chron. Melross, p. 182.
6 See Illustrations, C.
7 Ibid. D.
8 Chron. Melross, p. 182.

awaited the arrival of his army. Their avowed purpose was to act as mediators between the two factions: their real intention to seize, if possible, the person of the king, and to carry him into England.[1] But the plot was suspected; and Alexander, with the Comyns, defeated all hopes of its success, by appointing for the scene of their conference the forest of Jedburgh, in which a great part of his troops had already assembled.

The two English earls, therefore, resumed their more pacific design of negotiation. It was difficult and protracted; so that, in the interval, the king and the Comyns, having time to collect a large force, found themselves in a situation to insist upon terms which were alike favourable to their own power and to the liberty of the country. The King of England was compelled to dissemble his animosity, to forget his bitter opposition against Bishop Gamelin, and to reserve to some other opportunity all reference to the obnoxious treaty of Roxburgh. A new regency was appointed, which left the principal power in the hands of the queen-mother and of the Comyns, but endeavoured to reconcile the opposite parties, by including in its numbers four of the former regents.[2] Meanwhile the country, torn by contending factions, was gradually reduced to a state of great misery. Men forgot their respect for the kingly authority, and despised the restraint of the laws; the higher nobles enlisted under one or other of the opposite parties, plundered the lands and slew the retainers of their rival barons; churches were violated, castles and hamlets razed to the ground, and the regular returns of seed-time and harvest interrupted by the flames of private war. In short, the struggle to resist English interference was fatal, for the time, to the prosperity of the kingdom; and what Scotland gained in independence, she lost in improvement and national happiness.[3]

[1] Chron. Melross, p. 183.
[2] Rymer, Fœdera, vol. i. p. 670.
[3] Fordun a Goodal, vol. ii. p. 85.

At this crisis, when they had effectually succeeded in diminishing, if not destroying, the English influence, the Comyns lost the leader whose courage and energy were the soul of their councils. Walter Comyn, earl of Menteith, died suddenly. It was reported in England that his death was occasioned by a fall from his horse;[4] but a darker story arose in Scotland. The Countess of Menteith had encouraged a criminal passion for an English baron named Russel,[5] and was openly accused of having poisoned her husband to make way for her paramour, whom she married with indecent haste. Insulted and disgraced, she and her husband were thrown into prison, despoiled of their estates, and at last compelled to leave the kingdom.[6]

Encouraged by the death of his opponent, and anxious to regain his lost influence, the English king now became desirous that Alexander and his queen should pay him a visit at London; and for this purpose he sent William de Horton, a monk of St Albans, on a secret mission into Scotland. Horton arrived at the period when the king and his nobles were assembled in council, and found them jealous of this perpetual interference of England. They deemed these visits incompatible with the independence of the country; and the messenger of Henry met with great opposition.[7] The nature of the message increased this alarm. It was a request that Alexander and his queen should repair to London, to treat of matters of great importance, but which were not communicated to the parliament; and it was not surprising that the nobility, profiting by former experience, should have taken precautions against any sinister designs of Henry.

[4] Math. Paris, p. 660.
[5] Buchanan, copying Boece, as he generally does, calls Russel *ignobilis Anglus*. But I suspect that the paramour of the countess was John Russel, one of the witnesses, in 1220, who signs the agreement for the marriage of Johanna, sister of Henry the Third, to Alexander the Second, giving his obligation to Alexander for the fulfilment of the treaty, and who could not be an obscure individual. Fœdera, vol. i. p. 240.
[6] Hailes' Hist. vol. i. p. 172, 4to.
[7] Math. Paris, p. 985.

Accordingly, the Earl of Buchan, Durward the Justiciar, and the Chancellor Wishart, were in their turn despatched upon a secret mission into England; and the result was, that Alexander and his queen consented to visit London, under two conditions: first, an express stipulation was made that, during their stay at court, neither the king, nor any of his attendants, were to be required to treat of state affairs; and, secondly, an oath was to be taken by the English monarch, that if the Queen of Scotland became pregnant, or if she gave birth to a child during her absence, neither the mother nor the infant should be detained in England;[1] so great, at this moment, in the minds of the Scottish nobility, was the jealousy of English ambition and intrigue.

In fulfilment of this promise, the King of Scotland repaired with a concourse of his nobility to the court of England; and left his queen, whose situation now speedily promised an heir to the Scottish throne, to follow him, by slow stages, with the Bishop of Glasgow. On her approach to St Albans, she was met by her younger brother Edmund, who received her with a splendid retinue, and conducted her in the morning to London. The object of this visit of Alexander was not solely to gratify the King of England. He was anxious to exercise his rights over the territory of Huntingdon, which he held of the English crown; and the payment of his wife's portion had been so long delayed, that he wished to reclaim the debt. The reception of the royal persons appears to have been unusually magnificent; and the country round the court was greatly exhausted by the sumptuous entertainments, and the intolerable expenses which they demanded.[2] In the midst of these festivities, the queen drew near her time; and, at the pressing instance of her father, it was agreed that she should lie-in at the court of England: not, however, without a renewed stipulation, sworn upon the soul of the king, that the infant, in the event of the death of its mother or of Alexander, should be delivered to an appointed body of the Scottish nobility.

Having secured this, Alexander returned to his kingdom; and in the month of February 1261 his young queen was delivered at Windsor of a daughter, Margaret, afterwards married to Eric, king of Norway.[3]

In the beginning of the following year, Henry seems to have interposed his good offices to prevent a rupture between Alexander and Haco, king of Norway, regarding the possession of the Western Islands, the petty chiefs of which had for a long period been feudatory to the Norwegian crown.[4] Their habits of constant war and piratical excursion had at this time rendered the Norwegians a formidable people; and their near vicinity to Scotland enabled them, at a very early period, to overspread the whole of the Western Archipelago. The little sovereignties of these islands, under the protection of a warlike government, appear to have been in a flourishing condition. They were crowded with people; and the useful and ornamental arts were carried in them to a higher degree of perfection than in the other European countries. A poet of the north, in describing a dress unusually gorgeous, adds, that it was spun by the Sudreyans.[5] And even in science and literature, this remarkable people had, in their colonies especially, attained to no inconsiderable distinction.[6]

The vicinity of such enterprising neighbours was particularly irksome to the Scottish kings, and they anxiously endeavoured to get possession of these islands. When treaty failed, they encouraged their subjects of Scotland to invade them; and Alan, lord of Galloway, assisted by Thomas, earl of

[1] Rymer, Fœdera, vol. i. pp. 713, 714. Math. Westminster, p. 376.

[2] Math. Westminster, p. 376.

[3] Math. Westminster, p. 377. The Chron. Melross, p. 185, places her birth in the year 1260. She certainly was not born as late as the 16th November 1260.

[4] Macpherson's Geographical Illustrations of Scottish History, under the word "Ilis." A valuable work.

[5] Johnstone's Lodbrokar-Quida, stanza xv. and explanatory note.

[6] Macpherson's Illustrations, ut supra, voce "Ilis."

Athole, about thirty years before this, carried on a successful war against the isles, and expelled Olaf the Black, king of Man, from his dominions.[1] These Scottish chiefs had collected a large fleet, with a proportionably numerous army; and it required all the exertions of the Norwegian king to re-establish his vassal on his island throne. After this, the authority of Norway became gradually more and more precarious throughout the isles. Some of the chiefs were compelled, others induced by motives of interest, to renounce their allegiance, and to embrace the nearer superiority of Scotland: some, who held lands of both crowns, were uncertain to whom they should pay their paramount allegiance; and Alexander the Second, the immediate predecessor of Alexander the Third, after an unsuccessful attempt at negotiation, prepared an expedition for their complete reduction. The expressions used in threatening this invasion may convince us that the Norwegians had not only acquired the sovereignty of the isles, but had established themselves upon the mainland of Scotland; for the Scottish king declares, "that he will not desist till he hath set his standard upon the cliffs of Thurso, and subdued all that the King of Norway possessed to the westward of the German Ocean."[2] Alexander the Second, however, lived only to conduct his fleet and army to the shores of Argyleshire; and, on the king's death, the object of the expedition was abandoned.[3]

During the minority of Alexander the Third, all idea of reducing the isles seems to have been abandoned; but when the king was no longer a boy, the measure was seriously resumed: and after an unsuccessful embassy to the Norwegian court,[4] the Earl of Ross and other island chiefs were induced to invade the reguli, or petty kings of the Hebrides, in the western seas. Their expedition was accompanied with circumstances of extreme cruelty. The ketherans and soldiers of the isles, if we may believe the Norwegian Chronicles, not content with the sack of villages and the plunder of churches, in their wanton fury raised the children on the points of their spears, and shook them till they fell down to their hands: barbarities which might be thought incredible, were we not acquainted with the horrid atrocities which, even in our own days, have accompanied piratic warfare.[5]

Such conduct effectually roused Haco, the Norwegian king. He determined to revenge the injuries offered to his vassals, and immediately issued orders for the assembling of a fleet and army, whilst he repaired in person to Bergen to superintend the preparations for the expedition. The magnitude of these spread an alarm even upon the coasts of England. It was reported, that the Kings of Denmark and Norway, with an overwhelming fleet, had bent their course against the Scottish islands;[6] and although the apparent object of Haco was nothing more than the protection of his vassals, yet the final destination of so powerful an armament was anxiously contemplated.

On the 7th of July, the fleet set sail from Herlover. The king commanded in person. His ship, which had been built at Bergen, was entirely of oak, of great dimensions,[7] and ornamented

[1] Johnstone, Antiquitates Celto-Normannicæ, p. 30. See also a Memoir, by Mr Dillon, in the Transactions of the Society of Scottish Antiquaries, p. 356, vol. ii. p. 2. The fleet of Earl Alan alone consisted of 150 ships: small craft, of course, but formidable in piratic warfare.

[2] Chronicle of Man, p. 43.

[3] Math. Paris, p. 770. Mathew describes Alexander as having sailed on this expedition, for the purpose of compelling Angus of Argyle to do him homage for certain lands which were held of Norway: Alexander's object was to compel all the vassals of Norway to renounce their allegiance.

[4] Chronicle of Man, p. 45.

[5] The Chronicle of Man, p. 45, says the Earl of Ross was assisted by Kearnach and the son of Macalmal. Macalmal is conjectured to be Macdonald. Who was Kearnach? As to the inhuman practice mentioned in the text, see Johnstone, Notes to the Norwegian Expedition.

[6] Rymer, Fœdera, vol. i. p. 772. Letter from Ralph de Nevil, captain of Bamborough castle.

[7] Norse Account of this Expedition, with its translation, published by Johnstone, p. 25.

with richly-carved dragons, overlaid with gold. Everything at first seemed to favour the expedition. It was midsummer, the day was fine, and innumerable flags and pennons flaunted in the breeze; the decks were crowded with knights and soldiers, whose armour glittered in the sun; and the armament, which was considered as the most powerful and splendid that had ever sailed from Norway, bore away with a light wind for Shetland, which it reached in two days.[1] Haco thence sailed to Orkney, where he proposed to separate his forces into two divisions, and to send one of these to plunder in the Firth of Forth; whilst he himself remained in reserve, with his largest ships and the greater part of his army, in Orkney. It happened, however, that the higher vassals and retainers, who appear to have had a powerful influence in the general direction of the expedition, refused to go anywhere without the king himself; and this project was abandoned.[2] The fleet, therefore, directed its course to the south; and, after being joined by a small squadron which had previously been despatched to the westward,[3] Haco conducted his ships into the bay of Ronaldsvoe, and sent messengers to the neighbouring coast of Caithness to levy contributions. This country, exposed from its situation to perpetual piratic invasions, was, as we have seen, in 1249 under the dominion of Norway. But this did not long continue. The exertions of the Scottish government had succeeded in reducing the inhabitants; hostages were exacted for their fidelity; and now we find this remote district in the state of a Scottish province, exposed to the exactions of Norway.

No aid, however, appeared from Scotland; and the Caithnessians quietly submitted to the tribute which Haco imposed upon them. It is remarked by the Norwegian Chronicle, that when their king lay with his fleet in Ronaldsvoe, "a great darkness drew over the sun, so that only a little ring was bright round his orb." The ancient historian thus unconsciously afforded to modern science the means of exactly ascertaining the date of this great expedition. The eclipse was calculated, and it was found to have taken place on the 5th of August 1263,[4] and to have been annular at Ronaldsvoe in Orkney: a fine example of the clear and certain light reflected by the exact sciences upon history. Early in August, the king sailed across the Pentland Firth, having left orders for the Orkney men to follow him when their preparations were completed; thence he proceeded by the Lewes to the Isle of Skye, where he was joined by Magnus, the lord of Man; and from this holding on to the Sound of Mull, he met Dugal and other Hebridean chiefs with their whole forces.

The united armament of Haco now amounted to above a hundred vessels, most of them large, all well provided with men and arms; and, on the junction of the fleet, the business of piracy commenced. A division of the forces first took place.[5] A squadron of fifty ships, under Magnus and Dugal, was sent to plunder in the Mull of Kantire; five ships were despatched for the same purpose to Bute; and the king himself, with the rest of the fleet, remained at Gigha, a little island between the coast of Kantire and Islay. He was here met by King John, one of the island chiefs, whom Alexander the Second had in vain attempted to seduce from his fidelity to Norway. John was now, however, differently situated; and a scene took place which is strongly illustrative of feudal manners. Haco desired him to follow his banner, as was his duty; upon which the island prince excused himself. He affirmed that he had taken the oaths as a

According to this work, Haco's ship had twenty-seven banks of oars; that is, twenty-seven seats for the rowers.

[1] Norse Account of the Expedition, pp. 38, 39. It calls it a mighty and splendid armament. Haco anchored in Breydeyiar Sound.

[2] Norse Account, p. 43.

[3] Observations on the Norwegian Expedition, Antiquarian Transactions, vol. ii. p. 363.

[4] The Chronicle of Melrose is thus evidently wrong in placing this expedition in 1262.

[5] Norse Account of the Expedition, p. 49.

vassal of the Scottish king; that he held of him more lands than of his Norwegian master; and he entreated Haco to dispose of all those estates which he had conferred on him. This reasoning, although not agreeable to his powerful superior, was apparently such as Haco could not dispute; and after a short time John was dismissed, not only uninjured, but with presents.[1]

Many of these island chiefs found themselves, during this northern invasion, in a very distressing situation. On one hand, the destroying fleet of Haco lay close to the shores of their little territories, eager to plunder them should they manifest the slightest resistance. On the other, they had given hostages for their loyal behaviour to the King of Scotland; and the liberty, perhaps the lives, of their friends or their children were forfeited if they deserted to the enemy. In this cruel dilemma was Angus, lord of Kantire and Islay, apparently a person of high authority in these parts, and whose allegiance the Scottish king seems to have adopted every method to secure. He held his infant son as a hostage; an instrument had been drawn out, which declared his territories subject to instant forfeiture if he deserted; and the barons of Argyle were compelled to promise that they would faithfully serve the king against Angus of Islay, and unite in accomplishing his ruin, unless he continued true to his oaths.[2] But the power of the King of Scotland was remote; the vengeance of piratical warfare was at his door; and Angus, with another island prince, Murchad of Kantire, submitted to Haco, and delivered up the whole lands which they held of Alexander. A fine of a thousand head of cattle was esteemed a proper punishment for their desertion from Norway; and when they renewed their oaths to Haco, he promised, what he did not live to perform, to reconcile them to the offended majesty of Scotland.[3]

In the meantime, the squadron which had been despatched towards the Mull of Kantire made a desolating descent upon the peninsula; but in the midst of their havoc, and when they were proceeding to attack the greater villages, they received letters from Haco, forbidding them to plunder, and commanding them to rejoin the king's fleet at Gigha. Haco next despatched one of his captains, with some small vessels, to join the little squadron which had sailed against Bute; and intelligence soon after reached him that the castle of Rothesay, in that island, had been taken by his soldiers, and that the Scottish garrison had capitulated. A pirate chief, named Roderic, who claimed Bute as his inheritance, but who had been opposed by the islanders and outlawed by Alexander, was at this time with Haco. His knowledge of the seas in these quarters made him useful to the invaders, and the power of Haco enabled him to gratify his revenge. He accordingly laid waste the island, basely murdered part of the garrison of Rothesay, and leading a party of plunderers from Bute into Scotland, carried fire and sword into the heart of the neighbouring country.[4]

While the king's fleet lay at Gigha, Haco received messengers from the Irish Ostmen, with proposals of submitting themselves to his power; under the condition that he would pass over to Ireland with his fleet, and grant them his protection against the attacks of their English invaders, who had acquired the principal towns upon the coast. In reply to this pro-

[1] Norse Account of the Expedition, p. 51. See also p. 69.

[2] Observations on the Norwegian Expedition, Antiquarian Transactions, pp. 367, 368. See Ayloffe's Calendar of Ancient Charters, pp. 336, 342.

[3] Norse Account of the Expedition, pp. 55, 56.

[4] Norse Account of the Expedition, pp. 63, 67. This valuable historical chronicle is interspersed with pieces of poetry, descriptive of the events which occurred. The invasion of Bute and the inroad of Rudri into Scotland are thus sung:—

"The habitations of men, the dwellings of the wretched, flamed. Fire, the devourer of halls, glowed in their granaries. The hapless throwers of the dart fell near the swan-frequented plain, while south from our floating pines marched a host of warriors."

posal, the king despatched Sigurd, one of his chief captains, to communicate with the Ostmen;[1] and in the meantime he himself, with the whole fleet, sailed round the point of Kantire, and, entering the Firth of Clyde, anchored in the Sound of Kilbrannan, which lies between the island of Arran and the mainland.

Hitherto the great body of the Norwegian fleet had remained in the Hebrides, and Scotland was only made acquainted with this formidable invasion by the small squadrons which had been despatched for the purposes of plunder. But the whole naval armament of Haco, amounting to a hundred and sixty ships, as it entered the Firth of Clyde, became conspicuous from the opposite shores of Kyle, Carrick, and Wigtown; and the more immediate danger of a descent induced the Scottish government to think seriously of some terms of pacification. Accordingly, there soon after arrived from Alexander a deputation of Prædicant, or Barefooted Friars, whose object was to sound Haco regarding the conditions upon which a peace might be concluded; and, in consequence of these overtures, five Norwegian commissioners[2] were sent to treat with the King of Scotland. They were honourably received by Alexander, and dismissed with a promise that such terms of accommodation as the Scottish king could consent to should be transmitted to Haco within a short time; and in the meanwhile a temporary truce was agreed on.

This was wise: for to delay any pacification, without irritating their enemy, was the manifest policy of Scotland. Every day gave them more time to levy and concentrate their army; and as the autumn was drawing to a close, it brought the Norwegians a nearer prospect of wreck and disaster from the winter storms. Envoys were now despatched from Alexander to Haco; and the moderate demands of the King of Scotland made it apparent that, at this moment, he was not prepared to resist the fleet and army of Norway. He claimed Bute, Arran, and the two islands of the Cumbraes, all lying in the Firth of Clyde, as the property of Scotland; but it appears that he was willing to have given up to Norway the whole of the isles of the Hebrides.[3] These terms, so advantageous to Haco, were, fortunately for Scotland, rejected: no pacification took place; and the fleet of Norway bore in through the narrow strait between the larger and the lesser Cumbrae, thus menacing a descent upon the coast of Ayrshire, which is scarcely two miles distant.

The crews had now run short of provisions, the weather was daily becoming more threatening, a strong Scottish force of armed peasants had gathered on the shore, and Haco was anxiously exhorted by his officers to give orders for a descent on the coast, were it only to recruit, by plunder, the exhausted state of their provisions.[4] This measure, it seems, he was unwilling to adopt, without a last message to the King of Scotland; and for this purpose he sent an ambassador[5] to Alexander, whose commission was worded in the true style of ancient chivalry. He was to propose, "That the sovereigns should meet amicably at the head of their armies, and treat regarding a peace, which if, by the grace of God, it took place, it was well; but if the attempt at negotiation failed, he was to throw down the gauntlet from Norway, to challenge the Scottish monarch to debate the matter with his army in the field, and let God, in his pleasure, deter-

[1] Norse Account of the Expedition, p. 67. These Ostmen, or Easterlings, appear to have been the descendants of the Norwegians, or Ostmen, who long inhabited the eastern coast of Ireland, and founded some of its best towns. They were still, in 1201, so considerable, that, at a recognition taken of the diocese of Limerick, the arbitrators were twelve English, twelve Irish, and twelve Ostmen. Edward the first gave Gilmorys, and other Ostmen of the county of Waterford, particular privileges.—Johnstone's Notes on p. 66 of the Norse Expedition.

[2] These were Gilbert, bishop of Hamar, Henry, bishop of Orkney, Andrew Nicolson, Andrew Plytt, and Paul Soor.—Norse Account of the Expedition, p. 69.

[3] Norse Account of the Expedition, p. 71.

[4] Ibid. pp. 73, 75.

[5] Kolbein Rich was his name.

mine the victory." Alexander, however, would agree to no explanation; but "seemed," says the Norse Chronicle, "in no respect unwilling to fight;"[1] upon which the envoy returned from his unsatisfactory mission, and the truce was declared at an end.

Haco next despatched a fleet of sixty ships up the Clyde, into Loch Long, under the command of Magnus, king of Man, and with him four Hebridean chiefs, and two principal Norwegian officers. They penetrated and plundered to the head of Loch Long; they then took to their boats, and dragging them across the narrow neck of land between Arrochar and Tarbet, launched them into Loch Lomond, the islands of which lake were then full of inhabitants. To these islands the Scots had retreated for security, no doubt; little anticipating the measure which the lightness of the Norwegian craft, and the active perseverance of that bold people, enabled them to carry into execution. Their safeholds now became the scenes of plunder and bloodshed; the islands were wasted with fire, the shores of this beautiful lake completely ravished, and the houses on its borders burnt to the ground.[2] After this, one of the Hebridean chiefs made an expedition into the rich and populous county of Stirling, in which he slew great numbers of the inhabitants, and returned, driving herds of cattle before him, and loaded with booty.[3]

But the measure of Norwegian success was now full: the spirit of the Scottish nation was highly exasperated —time had been given them to collect their forces—and, as had been foreseen, the elements began to fight on their side. Upon returning to their ships in Loch Long, the invaders encountered so dreadful a storm, that ten of their vessels were completely wrecked.[4] King Haco still lay with the rest of the fleet in the Firth of Clyde, near the little islands of the Cumbraes, when, on Monday the 1st of October, a second tempest came on, accompanied with such torrents of hailstones and rain, that the Norwegians ascribe its extreme violence to the powers of enchantment—a prevalent belief at this period.[5] The wind blew from the south-west, making the coast of Ayrshire a lee-shore to the fleet, and thus infinitely increasing its distress. At midnight a cry of distress was heard in the king's ship; and before assistance could be given, the rigging of a transport, driven loose by the storm, got entangled with the royal vessel, and carried away her head. The transport then fell alongside, so that her anchor grappled the cordage of the king's ship; and Haco, perceiving the storm increasing, and finding his own ship beginning to drag her anchors, ordered the cable of the transport to be cut, and let her drift to sea. When morning came, she and another vessel were seen cast ashore. The wind still increased; and the king, imagining that the powers of magic might be controlled by the services of religion, rowed in his long boat to the islands of the Cumbraes, and there, amid the roaring of the elements, ordered mass to be celebrated.[6] But the tempest increased in fury. Many vessels cut away their masts; his own ship, although secured by seven anchors, drove from her moorings; five galleys were cast ashore, and the rest of the fleet violently beat up the channel towards Largs.[7]

Meanwhile, Alexander had neglected no precaution which was likely to in-

[1] Norse Account of the Expedition.

[2] Ibid. pp. 78, 79. Sturlas sings of this: —"The persevering shielded warriors of the thrower of the whizzing spear drew their boats across the broad isthmus. Our fearless troops, the exactors of contribution, with flaming brands wasted the populous islands in the lake, and the mansions around its winding bays."

[3] Excerpt. e Rotul. Compot. Temp. Alex. III. p. 38.

[4] Norse Account of the Expedition, pp. 81-84.

[5] "Now our deep-inquiring sovereign encountered the horrid powers of enchantment. The troubled flood tore many fair galleys from their moorings, and swept them anchorless before its waves. . . . The roaring billows and stormy blast threw shielded companies of our adventurous nation on the Scottish strand."—Norse Account, p. 87.

[6] Norse Account of the Expedition, p. 85.

[7] Ibid.

sure the discomfiture of this great armament. Before it appeared on the coast, the warders in the different castles which commanded a view of the sea were directed to keep a strict look-out; a communication by beacons was established with the interior of the country;[1] and now, when the tempest seemed to threaten the total destruction of their enemies, a multitude of armed peasants hovered on the surrounding heights observing every motion of the Norwegian fleet, and ready to take instant advantage of its distress. Accordingly, when the five galleys, with their armed crews, were cast ashore, the Scots rushed down from the heights, and attacked them. The Norwegians defended themselves with great gallantry; and the king, as the wind had somewhat abated, succeeded in sending in boats with reinforcements; but as soon as their crews landed, the Scots retired, satisfying themselves with returning during the night, to plunder the transports.[2]

When morning broke, Haco came on shore with a large reinforcement, and ordered the transports to be lightened, and towed to the ships. Soon after, the Scottish army appeared at a distance, upon the high grounds above the village of Largs; and as it advanced, the sun's rays glancing from the lines made it evident to the Norwegians that a formidable body of troops were about to attack them. The cavalry, although they only amounted to fifteen hundred horsemen, had a formidable appearance on the heights, most of them being knights or barons from the neighbouring counties, armed from head to heel, and mounted on Spanish horses, which were clothed in complete armour.[3] All the other horses were defended with breastplates; and besides this cavalry, there was a numerous body of foot soldiers, well accoutred, and for the most part armed with spears and bows. This force was led by the king in person, along with Alexander the High Steward of Scotland.[4]

On the shore, at this time, was a body of nine hundred Norwegians, commanded by three principal leaders; two hundred men occupied in advance a small hill which rises behind the village of Largs, and the rest of the troops were drawn up on the beach. With the advance also was the king, whom, as the main battle of the Scots approached, his officers anxiously entreated to row out to his fleet, and send them further reinforcements. Haco, for some time, pertinaciously insisted on remaining on shore; but as he became more and more exposed, the barons would not consent to this, and at last prevailed on him to return in his barge to his fleet at the Cumbraes. The van of the Scottish army now began to skirmish with the advance of the Norwegians, and greatly outnumbering them, pressed on both flanks with so much fury, that, afraid of being surrounded and cut to pieces, they began a retreat, which soon changed into a flight. At this critical moment, when everything depended on Haco's returning with additional forces before the main body of the Scots had time to charge his troops on the beach, a third storm came on, which completed the ruin of the Norwegian fleet, already shattered by the former furious gales. This cut off all hopes of landing a reinforcement, and they were completely routed. Indeed, without a miracle, it could not have been otherwise. The main body of the Scots far outnumbered the force of the Norwegians;[5] and their advance, under Ogmund, flying back in confusion, threw into disorder the small squadrons which were drawn up on the beach. Many of these attempted to save themselves, by leaping into their boats and pushing off from land; others endeavoured to defend them-

[1] Observations on the Norwegian Expedition against Scotland, pp. 390, 391. Also, Excerpt. e Rot. Compot. Tempore Regis Alexandri III. pp. 9, 31, 48.

[2] Norse Account of the Expedition, p. 91.

[3] Ibid. pp. 94, 95.

[4] Norse Account of the Expedition, p. 95. Winton, vol. i. p. 387. Fordun a Goodal, vol. ii. p. 98.

[5] Norse Account of the Expedition, p. 97, says that ten Scots fought against one Norwegian. This is no doubt exaggerated.

selves in the transport which had been stranded; and between the anger of the elements, the ceaseless showers of missile weapons from the enemy, and the impossibility of receiving succour from the fleet, their army was greatly distressed. Their leaders, too, began to desert them; and their boats became overloaded and went down.[1] The Norwegians were now driven along the shore, but they constantly rallied, and behaved with their accustomed national bravery. Some had placed themselves in and round the stranded vessels; and while the main body retreated slowly, and in good order, a conflict took place beside the ships, where Piers de Curry,[2] a Scottish knight, was encountered and slain. Curry appears to have been a person of some note, for he and the Steward of Scotland are the only Scottish soldiers whose names have come down to us as acting a principal part upon this occasion. His death is minutely described in the Norwegian Chronicle. Gallantly mounted, and splendidly armed, his helmet and coat of mail being inlaid with gold, Sir Piers rode fearlessly up to the Norwegian line, attempting, in the chivalrous style of the times, to provoke an encounter. In this he was soon satisfied; for a Norwegian, who conducted the retreat, irritated by his defiance, engaged him in single combat; and after a short resistance, killed him by a blow which severed his thigh from his body, the sword cutting through the cuisses of his armour, and penetrating to his saddle.[3] A conflict now took place round the body of this young knight, the plunder of whose rich armour the retreating Norwegians could not resist; their little square was thrown into confusion; and, as the Scots pressed on, the slaughter became great. Haco, a Norse baron, and near in blood to the king, was slain, along with many others of the principal leaders; and the Norwegians would have been entirely cut to pieces, if they had not at last succeeded in bringing a reinforcement from the fleet, by landing their boats through a tremendous surf.[4]

These new troops instantly attacked the enemy upon two points; and their arrival reinspirited the Norsemen, and enabled them to form anew. It was now evening, and the day had been occupied by a protracted battle, or rather a succession of obstinate skirmishes. The Norwegians, although they fought with uncommon spirit, had sustained severe loss; and they now made a last effort to repulse the Scots from the high grounds immediately overhanging the shore. The impetuosity of their attack succeeded, and the enemy were driven back after a short and furious resistance.[5] The relics of this brave body of invaders then re-embarked in their boats, and, although the storm continued, arrived safely at the fleet.

During the whole of this conflict, which lasted from morning till night, the storm continued raging with unabated fury, and the remaining ships of Haco were dreadfully shattered and distressed. They drove from their anchors, stranded on the shore, where multitudes perished — struck against shallows and rocks, or found equal destruction by running foul of each other; and the morning presented a beach covered with dead bodies, and a sea strewed with sails, masts, cordage, and all the melancholy accompaniments of wreck.[6] A truce was now granted to the king; and the interval employed in burying his dead, and in raising above them those rude memorials, which, in the shape of tumuli and huge perpendicular stones, still remain to mark the field of battle. The Norwegians then burnt the stranded vessels; and, after a few days, having been joined by the remains of the fleet, which had been sent up Loch Long, their shattered navy

[1] Norse Account of the Expedition, p. 97.
[2] Winton, vol. i. p. 388. "Perrys of Curry call'd be name."
[3] Norse Account of the Expedition, p. 99.
[4] Norse Account of the Expedition, p. 101.
[5] Ibid. p. 103. "At the conflict of corslets on the blood-red hill, the damasked blade hewed the mail of hostile tribes, ere the Scot, nimble as the hound, would leave the field to the followers of our all-conquering king."
[6] Fordun, chap. xvi. book x. vol. ii. p. 98.

weighed anchor, and sailed towards Arran.[1]

In Lamlash Bay the king was met by the commissioners whom he had sent to Ireland, and they assured him that the Irish Ostmen would willingly maintain his forces, until he had freed them from the dominion of the English. Haco was eager to embrace the proposal. He appears to have been anxious to engage in any new expedition which might have banished their recent misfortunes from the minds of his soldiers, whilst it afforded him another chance of victory, with the certainty of reprovisioning the fleet; but their late disasters had made too deep an impression; and, on calling a council, the Irish expedition was opposed by the whole army.[2]

The shattered squadron, therefore, steered for the Hebrides; and in passing Islay, again levied a large contribution on that island. The northern monarch, however, now felt the difference between sailing through this northern archipelago, as he had done a few months before, with a splendid and conquering fleet, when every day brought the island princes as willing vassals of his flag, and retreating, as he now did, a baffled invader. His boat crews were attacked, and cut off by the islanders. He appears to have in vain solicited an interview with John, the prince of the Isles. The pirate chiefs who had joined him, disappointed of their hopes of plunder, returned to their ocean strongholds; and although he went through the forms of bestowing upon his followers the islands of Bute and Arran, with other imaginary conquests, all must have seen that the success and power of Scotland rendered these grants utterly unavailing.[3] The weather, too, which had been his worst enemy, continued lowering, and winter had set in. The fleet encountered in their return a severe gale off Islay; and, after doubling Cape Wrath, were met in the Pentland Firth by a second storm, in which one vessel, with all on board, went down, and another narrowly escaped the same fate. The king's ship, however, with the rest of the fleet, weathered the tempest, and at last arrived in Orkney on the 29th of October.[4]

It was here found advisable to grant the troops permission to return to Norway; as, to use the simple expression of the Norwegian Chronicle, "many had already taken leave for themselves." At first the king resolved on accompanying them; but anxiety of mind, the incessant fatigues in which he had passed the summer and autumn, and the bitter disappointment in which they ended, had sunk deep into his heart, and the symptoms of a mortal distemper began to shew themselves in his constitution. His increasing sickness soon after this confined him to his chamber; and although for some time he struggled against the disease, and endeavoured to strengthen his mind by the cares of government and the consolations of religion, yet all proved in vain. At last, feeling himself dying, the spirit of the old Norse warrior seemed to revive with the decay of his bodily frame; and, after some time spent in the services of the Church, he commanded the Chronicles of his ancestors the Pirate Kings to be read to him. On the 12th of December, the principal of the nobility and clergy, aware that there was no hope, attended in his bedchamber. Though greatly debilitated, Haco spoke distinctly, bade them all affectionately farewell, and kissed them. He then received extreme unction, and declared that he left no other heir than Prince Magnus. The Chronicle of King Swerar was still read aloud to him when he was indisposed to sleep, but soon after this his voice became inaudible; and on the 15th of December, at midnight, he expired.[5]

Such was the conclusion of this memorable expedition against Scotland, which began with high hopes and formidable preparations, but ended

[1] Observations on the Norwegian Expedition, Antiq. Trans. vol. ii. p. 385.
[2] Norse Account of the Expedition, p. 109.
[3] Ibid. pp. 111, 113, 117.
[4] Norse Account of the Expedition, p. 119.
[5] Ibid. p. 131.

in the disappointment of its object, and the death of its royal leader. It was evidently a fatal mistake in Haco to delay so long in petty expeditions against the Western Islands. While it was still summer, and the weather fair, he ought at once to have attempted a descent upon the mainland; and had he done so, Alexander might have been thrown into great difficulties. Delay and protracted negotiation was the policy of the Scots. They thus avoided any general battle; and they knew that if they could detain the Norwegian fleet upon the coast till the setting in of the winter storms, its destruction was almost inevitable. Boece, in his usual inventive vein, covers the field with 25,000 dead Norwegians, and allows only four ships to have been saved to carry the king to his grave in Orkney. But all this is fiction; and the battle of Largs appears to have been nothing more than a succession of fortunate skirmishes, in which a formidable armament was effectually destroyed by the fury of the elements, judiciously seconded by the bravery of the Scots.

The accounts of the death of Haco, and the news of the queen having been delivered of a son, were brought to King Alexander on the same day;[1] so that he was at once freed from a restless and powerful enemy, and could look forward to a successor of his own blood. Nor did he lose any time in following up the advantages already gained by completing the reduction of the little kingdom of Man, and the whole of the Western Isles. For this purpose, he levied an army with the object of invading the Isle of Man, and compelled the petty chiefs of the Hebrides to furnish a fleet for the transport of his troops. But the King of Man, terrified at the impending vengeance, sent envoys with messages of submission; and, fearful that these would be disregarded, set out himself, and met Alexander, who had advanced on his march as far as Dumfries.[2] At this place the Island Prince became the liegeman of the King of Scotland, and consented that, in future, he should hold his kingdom of the Scottish crown; binding himself to furnish to his lord paramount, when required by him, ten galleys or ships of war,—five with twenty-four oars and five with twelve.

A military force, commanded by the Earl of Mar, was next sent against those unfortunate chiefs of the Western Isles, who, during the late expedition, had remained faithful to Haco.[3] Some were executed, all were reduced, and the disputes with Norway were finally settled by a treaty, in which that country agreed to yield to Scotland all right over Man, the Æbudæ, and the islands in the western seas. The islands in the south seas were also included, but those of Orkney and Shetland expressly excepted. The inhabitants of the Hebrides were permitted the option of either retiring with their property, or remaining to be governed in future by Scottish laws. On the part of the King and the Estates of Scotland, it was stipulated that they were to pay to Norway four thousand marks of the Roman standard, and a yearly quit-rent of a hundred marks sterling for ever. The King of Man received investiture as a vassal of Alexander; and all parties engaged to fulfil their obligations, under a penalty of ten thousand marks, to be exacted by the Pope.[4]

Ottobon de Fieschi was at this time

[1] Winton, vol. i. pp. 389, 390. Mackenzie, in his Lives of Scottish Writers, vol. ii. p. 86, mentions a fragment of the records of Colmkill, which was in possession of the Earl of Cromarty, as containing an account of the battle of Largs.

[2] Fordun a Goodal, book x. chap. xviii. vol. ii. p. 101. In Ayloffe's Calendar of Ancient Charters, p. 328, we find the letter of the King of Man to the King of Scotland, *quod tenebit terram Man de rege Scotiæ*. It was one of the muniments taken out of Edinburgh Castle, and carried to England by Edward the First.

[3] Fordun a Goodal, vol. ii. pp. 101, 102. Excerpt. e Rotul. Compot. Temp. Alex. III. p. 18.

[4] The treaty will be found in Fordun by Hearne, p.1353-5. It is dated 20th July 1266. In the account of the treaty, Lord Hailes has made a slight error when he says that the patronage of the bishopric of Sodor was reserved to the Archbishop of Drontheim. The patronage was expressly ceded to Alexander, but the ecclesiastical jurisdiction was reserved in favour of the Archbishop of Drontheim.

the Papal legate in England, and to defray the expenses of his visitation, he thought proper to demand a contribution from each cathedral and parish church in Scotland. The king, however, acting by the advice of his clergy, peremptorily refused the demand; appealed to Rome; and, when Ottobon requested admittance into Scotland, steadily declared that he should not set a foot over the Border. The legate next summoned the Scottish bishops to attend upon him in England whenever he should hold his council; and he required the clergy to despatch two of their number to appear as their representatives. This they agreed to; but the representatives were sent, not as the vassals of the Papacy, but as the members of an independent Church. Such, indeed, they soon shewed themselves; for when the legate procured several canons to be enacted regarding Scotland, the Scottish clergy resolutely disclaimed obedience to them. Incensed at this conduct, Clement the Fourth shifted his ground, and demanded from them a tenth of their benefices, to be paid to Henry of England, as an aid for an approaching crusade. The answer of Alexander and his clergy was here equally decided: Scotland itself, they said, was ready to equip for the crusade a body of knights suitable to the strength and resources of the kingdom, and they therefore rejected the requisition. Accordingly, David, earl of Athole, Adam, earl of Carrick, and William, lord Douglas, with many other barons and knights, assumed the cross, and sailed for Palestine.[1]

In consequence, however, of the Papal grant, Henry attempted to levy the tenth upon the benefices in Scotland. The Scottish clergy refused the contribution, appealed to Rome, and, in addition to this, adopted measures, which were singularly bold, and well calculated to secure the independence of the Scottish Church. They assembled a provincial council at Perth, in which a bishop of their own was chosen to preside, and where canons for the regulation of their own Church were enacted. This they contended they were entitled to do by the bull of Pope Honorius the Fourth, granted in the year 1225; and, aware of the importance of making a vigorous stand at this moment, by their first canon it was appointed that an annual council should be held in Scotland; and by their second, that each of the bishops should assume, in rotation, the office of "Protector of the Statutes," or Conservator Statutorum. These canons remain to this day an interesting specimen of the ancient ecclesiastical code of Scotland.[2]

About this time happened an incident of a romantic nature, with which important consequences were connected. A Scottish knight of high birth, Robert de Bruce, son of Robert de Bruce, lord of Annandale and Cleveland, was passing on horseback through the domains of Turnberry, which belonged to Marjory, countess of Carrick.[3] The lady happened at the moment to be pursuing the diversion of the chase, surrounded by a retinue of her squires and damsels. They encountered Bruce. The young countess was struck by his noble figure, and courteously entreated him to remain and take the recreation of hunting. Bruce, who, in those feudal days, knew the danger of paying too much attention to a ward of the king, declined the invitation, when he found himself suddenly surrounded by the attendants; and the lady, riding up, seized his bridle, and led off the knight, with gentle violence, to her castle of Turnberry. Here, after fifteen days' residence, the adventure concluded as might have been anticipated. Bruce married the countess

[1] Fordun a Goodal, vol. ii. p. 109, book x. chap. xxiv. Holinshed, vol. i. p. 406, gives as the names of the crusading nobles, the Earls of Carrick and Athole, John Steward, Alexander Cumin, Robert Keith, George Durward, John Quincy, and William Gordon.

[2] These canons were printed by Wilkins in his Concilia, and in a small 4to by Lord Hailes. See Hailes' Hist. vol. i. p. 149.

[3] Although all the historians call this lady Martha, yet she is named Marjory by her son, King Robert Bruce. Register of the Great Seal, p. 108; and Marjory was the name of King Robert's daughter.

without the knowledge of the relations of either party, and before obtaining the king's consent; upon which Alexander seized her castle of Turnberry and her whole estates. The intercession of friends, however, and a heavy fine, conciliated the mind of the monarch. Bruce became, in right of his wife, Lord of Carrick; and the son of this marriage of romantic love was the great Robert Bruce, the restorer of Scottish liberty.[1]

Two years previous to this (1272) died Henry the Third of England,[2] after a reign of nearly sixty years. His character possessed nothing that was great; his genius was narrow; his temper wavering; his courage, happily, seldom tried; and he was addicted, like many weak princes, to favouritism. At times, however, he had permitted himself to be guided by able ministers; and the vigour, talents, and kingly endowments of his son, Edward the First, shed a lustre over the last years of his reign, which the king himself could never have imparted to it. At the coronation of this great prince, who succeeded Henry, Alexander, and his queen, the new king's sister, attended with a retinue of great pomp and splendour. He took care, however, to obtain a letter under the hand of the English monarch, declaring that the friendly visit should not be construed into anything prejudicial to the independence of Scotland,[3]—a policy which the peculiarities of feudal tenure made frequent at this time; for we find Edward himself, when some years afterwards he agreed to send twenty ships to the King of France, his feudal superior for the duchy of Normandy, requiring from that prince an acknowledgment of the same description.

The designs of Edward upon Scotland had not yet, in any degree, betrayed themselves, and the kingly brothers appear to have met on cordial terms. Both were in the prime of manhood, Alexander having entered, and Edward having just completed, his thirty-fourth year. Scotland, still unweakened by the fatal controversies between Bruce and Baliol, was in no state to invite ambitious aggression. The kingdom was peaceful, prosperous, and loyal, possessing a warlike and attached nobility, and a hardy peasantry, lately delivered, by the defeat of Haco and the wise acquisition of the Western Isles, from all disturbance in the only quarter where it might be dreaded; and from the age of Alexander, and his queen, who had already born him three children, the nation could look with some certainty to a successor. Edward, on the other hand, who had lately returned from Palestine, where he had greatly distinguished himself, received his brother-in-law with that courtesy and kindness which was likely to be increased by his long absence, and by the perils he had undergone. About this time the Pope sent into Scotland an emissary named Benemund de Vicci, corrupted into Bagimont, to collect the tenth of all the ecclesiastical benefices, the estimate being made not according to the "ancient extent, but the true value." The tax appears to have been strictly exacted, and went by the name of Bagimont's Roll.[4]

All went prosperously on between Edward and Alexander for some time. A dispute which had occurred between the King of Scots and the Bishop of Durham, in which that prelate complained that an encroachment had been made upon the English marches, was amicably settled; and Edward, occupied entirely with his conquest of Wales,—and according to his custom, whenever engaged in war, concentrating his whole energies upon one point,—had little leisure to think of Scotland. The domineering disposition of the English king first shewed itself regarding the feudal service of homage due to him by his Scottish brother, for the lands which he held in England; and he seems early to have formed the scheme of entrapping Alexander into the performance of a homage so vague and unconditional, that

[1] Fordun a Goodal, vol. ii. p. 114, book x. chap. xxix.

[2] On 16th Nov. 1272.

[3] Ayloffe's Calendar of Ancient Charters, 328, 342. Leland's Collectanea, vol. ii. p. 471.

[4] Fordun a Hearne, p. 780.

it might hereafter be construed into the degrading acknowledgment that Scotland was a fief of England.

In 1277 we find him writing to the Bishop of Wells that his beloved brother, the King of Scotland, had agreed to perform an unconditional homage, and that he was to receive it at the ensuing feast of Michaelmas.[1] This, however, could scarcely be true; the event shewed that Edward had either misconceived or misstated the purpose of Alexander. He appeared before the English parliament at Westminster, and offered his homage in these words:—"I, Alexander, king of Scotland, do acknowledge myself the liegeman of my Lord Edward, king of England, against all deadly." This Edward accepted, reserving his claim of homage for the kingdom of Scotland, when he should choose to prefer it. The King of Scots then requested that the oath should be taken for him by Robert de Bruce, earl of Carrick, which being granted, that earl took the oath in these words:—

"I, Robert, earl of Carrick, according to the authority given to me by my lord the King of Scotland, in presence of the King of England, and other prelates and barons, by which the power of swearing upon the soul of the King of Scotland was conferred upon me, have, in presence of the King of Scotland, and commissioned thereto by his special precept, sworn fealty to Lord Edward, king of England, in these words:—'I, Alexander, king of Scotland, shall bear faith to my lord Edward, king of England, and his heirs, with my life and members, and worldly substance; and I shall faithfully perform the services, used and wont, *for the lands and tenements which I hold of the said king.*'" Which fealty being sworn by the Earl of Carrick, the King of Scotland confirmed and ratified the same.[2] Such is an exact account of the homage performed by Alexander to Edward, as given in the solemn instrument by which the English monarch himself recorded the transaction. Alexander probably had not forgotten the snare in which Edward's father had attempted to entrap him, when still a boy; and the reservation of an unfounded claim over Scotland might justly have incensed him. But he wished not to break with Edward: he held extensive territories in England, for which he was willing, as he was bound in duty, to pay homage; yet he so guarded his attendance at Edward's coronation, and his subsequent oath of fealty, that the independence of Scotland as a kingdom, and his own independence as its sovereign, were not touched in the most distant manner; and the King of England, baffled in his hope of procuring an unconditional homage, was forced to accept it as it was given. It is material to notice, that in the instrument drawn up afterwards, recording the transaction, Edward appears to declare his understanding that this homage was merely for the Scottish king's possessions in England, by again reserving his absurd claim of homage for Scotland, whenever he or his heirs should think proper to make it.

This matter being concluded, Alexander, who had suffered a severe domestic affliction in the death of his queen,[3] began to seek alliances for his children. He married his daughter Margaret to Eric, king of Norway, then a youth in his fourteenth year. Her portion was fourteen thousand marks, the option being left to her father to give one half of the sum in lands, provided that the rents of the lands were a hundred marks yearly for every thousand retained. The price of land at this early period of our history seems, therefore, to have been ten years' purchase.[4] The young princess, accompanied by Walter Bullock, earl of Men-

[1] Rymer, Fœdera, vol. ii. p. 109.

[2] Rymer, Fœdera, vol. ii. p. 126. Tyrrel, vol. iii. p. 22, misled by Knighton, book iii. chap. i., erroneously says that the homage was performed by Alexander at Edward's coronation, and adds, that historians do not say whether it was for Scotland, or for the earldom of Huntingdon.

[3] Winton, vol. i. p. 391.

[4] The marriage-contract, which is very long and curious, is to be found in Rymer, vol. ii. p. 1079, dated 25th July 1281. Fordun a Goodal, vol. ii. p. 125.

teith, his countess, the Abbot of Balmerino, and Bernard de Monte-alto, with other knights and barons, sailed for Norway; and on her arrival was honourably received and crowned as queen. The alliance was wise and politic. It promised to secure the wavering fealty of those proud and warlike island chiefs, who, whenever they wished to throw off their dependence on Scotland, pretended that they were bound by the ties of feudal vassalage to Norway, and whose power and ambition often required the presence of the king himself to quell.[1]

This marriage was soon after followed by that of Alexander the Prince of Scotland, then in his nineteenth year, to Margaret, a daughter of Guy, earl of Flanders; the ceremony being performed at Roxburgh, and accompanied with fifteen days' feasting. Such alliances, so far as human foresight could reach, promised happiness to Alexander, while they gave an almost certain hope of descendants. But a dark cloud began to gather round Scotland, and a train of calamities, which followed in sad and quick succession, spread despondency through the kingdom.[2] The Prince of Scotland, who from infancy had been of a sickly constitution, died not long after his marriage, leaving no issue; and intelligence soon after came from Norway that his sister, Queen Margaret, was also dead, having left an only child, Margaret, generally called the Maiden of Norway: David, the second son of Alexander, had died when a boy;[3] and thus the King of Scotland, still in the flower of his age, found himself a widower, and bereft by death of all his children.

To settle the succession was his first care; and for this purpose a meeting of the Estates of the realm was held at Scone, on the 5th of February 1283–4. The prelates and barons of Scotland there bound themselves to acknowledge Margaret, princess of Norway, as their sovereign, failing any children whom Alexander might have, and failing any issue of the Prince of Scotland deceased.[4] The parliament in which this transaction took place, having assembled immediately after the death of the prince, it was uncertain whether the princess might not yet present the kingdom with an heir to the crown. In the meantime, the king thought it prudent to make a second marriage, and chose for his bride a young and beautiful woman, Joleta, daughter of the Count de Dreux. The nuptials were celebrated with great pomp, and in presence of a splendid concourse of the French and Scottish nobility, at Jedburgh. In the midst of the rejoicings, and when music and pastime were at the highest, a strange masque was exhibited, in which a spectral creature like Death glided with fearful gestures amongst the revellers, and at length suddenly vanished. The whole was no doubt intended as a mummery; but it was too well acted, and struck such terror into the festive assembly,[5] that the chronicler, Fordun, considers it as a supernatural shadowing out of the future misfortunes of the kingdom. These misfortunes too rapidly followed. Alexander, riding late near Kinghorn, was counselled by his attendants, as the night was dark, and the road precipitous, not to pass Inverkeithing till the morning. Naturally courageous, however, he insisted on galloping forward, when his horse suddenly stumbled over a rocky cliff above the sea, fell with its rider, and killed him on the spot.[6] He died in the forty-fifth year of his age, and the thirty-seventh of his reign; and his death, at this particular juncture, may be considered as one of the deepest amongst those national calamities which chequer the history of Scotland.

[1] In 1275, Alexander led an armed force against Man. Johnstone, Antiquit. Celto-Norm. pp. 41, 42. In 1282, Alexander Comyn, earl of Buchan and Constable of Scotland, led an army to quell some island disturbances. Rymer, Fœdera, vol. ii. p. 205.

[2] Fordun a Goodal, vol. ii. p. 124. Winton, book vii. chap. x. vol. i. p. 391.

[3] Fœdera, vol. ii. p. 266.

[4] Winton, vol. i. p. 397. Fœdera, vol. ii. pp. 582, 1091.

[5] Fordun a Goodal, vol. ii. p. 128, book x. chap. xi.

[6] Triveti Annales, p. 267. He died March 16, 1285-6. Fordun a Goodal, vol. ii. p. 128.

Alexander's person was majestic; and although his figure was too tall, and his bones large, yet his limbs were well formed and strongly knit. His countenance was handsome, and beamed with a manly and sweet expression, which corresponded with the courageous openness and sincerity of his character. He was firm and constant in his purposes; yet, guided by prudence and an excellent understanding, this quality never degenerated into a dangerous obstinacy. His inflexible love of justice, his patience in hearing disputes, his affability in discourse, and facility of access, endeared him to the whole body of his people; whilst his piety, untinctured with any slavish dread, whilst he acknowledged the spiritual supremacy of the popedom, rendered him the steadfast friend of his own clergy, and their best defender against any civil encroachments of the see of Rome. In his time, therefore, to use the words of the honest and affectionate Fordun—"The Church flourished, its ministers were treated with reverence, vice was openly discouraged, cunning and treachery were trampled under foot, injury ceased, and the reign of virtue, truth, and justice was maintained throughout the land." We need not wonder that such a monarch was long and affectionately remembered in Scotland. Attended by his justiciary, by his principal nobles, and a military force which awed the strong offenders, and gave confidence to the oppressed, it was his custom to make an annual progress through his kingdom, for the redress of wrong, and the punishment of delinquents. For this purpose, he divided the kingdom into four great districts; and on his entering each county, the sheriff had orders to attend on the kingly judge, with the whole militia of the shire,[1] and to continue with the court till the king had heard all the appeals of that county which were brought before him. He then continued his progress, accompanied by the sheriff and his troops; nor were these dismissed till the monarch had entered a new county, where a new sheriff awaited him with the like honours and attendance.

In this manner the people were freed from the charge of supporting those overgrown bands of insolent retainers which swelled the train of the Scottish nobles, when they waited on the king in his progresses; and as the dignified prelates and barons were interdicted by law from travelling with more than a certain number of horse in their retinue, the poor commons had leisure to breathe, and to pursue their honest occupations.[2]

In Alexander's time, many vessels of different countries came to Scotland, freighted with various kinds of merchandise, with the design of exchanging them for the commodities of our kingdom. The king's mind, however, was unenlightened on the subject of freedom of trade; and the frequent loss of valuable cargoes by pirates, wrecks, and unforeseen arrestments, had induced him to pass some severe laws against the exportation of Scottish merchandise. Burgesses, however, were allowed to traffic with these foreign merchantmen; and in a short time the kingdom became rich in every kind of wealth; in the productions of the arts and manufactures; in money, in agricultural produce,[3] in flocks and herds; so that many, says an ancient historian, came from the West and East to consider its power, and to study its polity. Amongst these strangers, there arrived, in a great body, the richest of the Lombard merchants, who offered to establish manufacturing settlements in various parts of the country. They specified among other places the mount above Queensferry, and an island near Cramond, and only

[1] Fordun a Goodal, book x. chap. xli. vol. ii. p. 129.

[2] Fordun a Goodal, book x. chap. xli. vol. ii. pp. 129, 130.

[3] Yhwmen, pewere Karl, or Knawe
That wes of mycht an ox til hawe,
He gert that man hawe part in pluche;
Swa wes corn in his land enwche;
Swa than begouth, and efter lang
Of land wes mesure, ane ox-gang.
Mychty men that had má
Oxyn, he gert in pluchys ga.
Be that vertu all his land
Of corn he gert be abowndand.
—Winton, vol. i. p. 400.

asked of the king certain spiritual immunities. Unfortunately, the proposal of these rich and industrious men, for what cause we cannot tell, proved displeasing to some powerful members of the state, and was dismissed; but from an expression of the historian, we may gather that the king himself was desirous to encourage them, and that favourable terms for a settlement would have been granted, had not death stept in and put an end to the negotiation.[1]

The conduct pursued by this king, in his intercourse with England, was marked by a judicious union of the firmness and dignity which became an independent sovereign with the kindliness befitting his near connexion with Edward; but, warned by the attempts which had been first made by the father and followed up by the son, he took care that when invited to the English court, it should be expressly acknowledged[2] that he came there as the free monarch of an independent country.

To complete the character of this prince, he was temperate in his habits, his morals were pure, and in all his domestic relations kindness and affection were conspicuous.[3] The oldest Scottish song, which has yet been discovered, is an affectionate little monody on the death of Alexander, preserved by Winton, one of the fathers of our authentic Scottish history.[4]

[1] Fordun, book x. chap. xli. xlii. vol. ii. pp. 129, 130.

[2] Ayloffe's Calendar of Ancient Charters, p. 328.

[3] Towards the conclusion of this reign, it is said that an awful visitant for the first time appeared in Scotland—the plague; but we cannot depend on the fact, for it comes from Boece.—Hailes, vol. i. p. 307.

[4] Quhen Alysandyr, oure kyng, wes dede,
That Scotland led in luwe * and le, †
Away wes sons of ale and brede,
Of wyne and wax, of gamyn and gle.
Oure gold wes changyd into lede.—
Christ, born in-to virgynyte,
Succour Scotland, and remede,
That stad ‡ is in perplexyte.
—Winton, vol. i. p. 401.

* Love. † Le, tranquillity.
‡ Placed, or situated.

MARGARET, THE MAIDEN OF NORWAY.

Margaret, the grand-daughter of Alexander, and grand-niece to Edward the First, who had been recognised as heir to the crown in 1284, was in Norway at the time of the king's death. A parliament, therefore, assembled at Scone on the 11th of April 1286; and a regency, consisting of six guardians of the realm, was, by common consent, appointed.[5] The administration of the northern division of Scotland, beyond the Firth of Forth, was intrusted to Fraser, bishop of St Andrews, Duncan, earl of Fife, and Alexander, earl of Buchan. The government of the country to the south of the Forth was committed to Wishart, the bishop of Glasgow, John Comyn, lord of Badenoch, and James, the High Steward of Scotland.[6]

In this parliament, a keen debate on the succession to the crown arose between the partisans of Bruce and Baliol. Nor were these the only claimants. Nothing but the precarious life of an infant now stood between the crown of Scotland and the pretensions of other powerful competitors, whose relationship to the royal family, as it raised their hopes, encouraged them to collect their strength, and gave a legal sanction to their ambition. Edward the First of England, whose near connexion with the young Queen of Scotland and the heretrix of Norway made him her natural protector, was at this time in France. On being informed of the state of confusion into which the death of Alexander was likely to plunge a kingdom which had been for some time the object of his ambition, the project of a marriage between the young queen and his son, the Prince of Wales, was too apparent not to suggest itself. But this monarch, always as cautious of too suddenly unveiling his purposes as he was determined in pursuing them, did not immediately declare his wishes. He

[5] Winton, vol. ii. p. 10. Fordun a Goodal, vol. ii. p. 138.

[6] Fordun a Hearne, p. 951.

contented himself with observing the turn which matters should take in Scotland, certain that his power and influence would in the end induce the different parties to appeal to him; and confident that the longer time which he gave to these factions to quarrel among themselves and embroil the country, the more advantageously would this interference take place. The youth of the King of Norway, father to the young Princess of Scotland, was another favourable circumstance for Edward. Eric was only eighteen. He naturally looked to Edward, the uncle of his late wife, for advice and support; and, fearful of trusting his infant and only daughter, scarce three years old, to the doubtful allegiance of so fierce and ambitious a nobility as that of Scotland, he determined to keep her for the present under his own eye in Norway.

Meanwhile a strong party was formed against her amongst the most powerful of the Scottish barons. They met (Sept. 20, 1286) at Turnberry, the castle of Robert Bruce, earl of Carrick, son of Robert Bruce, lord of Annandale and Cleveland. Here they were joined by two powerful English barons, Thomas de Clare, brother of Gilbert, earl of Gloucester, and Richard de Burgh, earl of Ulster.[1] Thomas de Clare was nephew to Bruce's wife, and both he and his brother, the Earl of Gloucester, were naturally anxious to support Bruce's title to the crown as the descendant of David, earl of Huntingdon, brother of King William the Lion.[2] Nor was the scheme in any respect a desperate one, for Bruce already had great influence. There assembled at Turnberry, Patrick, earl of Dunbar, with his three sons; Walter Stewart, earl of Menteith; Bruce's own son, the earl of Carrick, and Bernard Bruce; James, the High Steward of Scotland,[3] with John, his brother; Angus, son of Donald the Lord of the Isles, and Alexander, his son. These barons, whose influence could bring into the field the strength of almost the whole of the west and south of Scotland, now entered into a bond or covenant, by which it was declared that they would thenceforth adhere to and take part with one another, on all occasions, and against all persons, saving their allegiance to the King of England, and also their allegiance to him who should gain the kingdom of Scotland by right of descent from King Alexander, then lately deceased.[4] Not long after this, the number of the Scottish regents was reduced to four, by the assassination of Duncan, earl of Fife, and the death of the Earl of Buchan; the Steward, another of the regents, pursuing an interest at variance with the title of the young queen, joined the party of Bruce, heart-burnings and jealousies arose between the nobility and the governors of the kingdom. These soon increased, and at length broke into an open war between the parties of Bruce and Baliol, which for two years after the death of the king continued its ravages in the country.[5]

The event which the sagacity of Edward had anticipated now occurred. The states of Scotland were alarmed at the continuance of civil commotions; and, in a foolish imitation of other foreign powers who had applied to Edward to act as a peacemaker, sent the Bishop of Brechin, the Abbot of Jedburgh, and Geoffrey de Mowbray, as ambassadors to the King of England, requesting his advice and mediation towards composing the troubles of the kingdom.[6] At the

[1] Fœdera, vol. ii. p. 488.

[2] Gough, in his Additions to Camden's Britannia, vol. i. p. 265, mentions that Gilbert, earl of Gloucester, brother of Robert de Bruce's wife, having incurred the resentment of Edward the First, was dispossessed of all his lands; but the king afterwards restored him, and gave him his daughter in marriage. The convention at Turnberry was perhaps the cause of Edward's resentment.

[3] James, the High Steward, married Cecilia, daughter of Patrick, earl of Dunbar. Andrew Stewart's Hist. of the Stuarts, p. 16.

[4] The original is alluded to by Dugdale, vol. i. p. 216. See also Rot. Compot. Temp. Custodum Regni, p. 62.

[5] This war, hitherto unknown to our historians, is proved by documents of unquestionable authority. Excerpta e Rotulo Compotorum Tempore Custodum Regni, pp. 56, 62.

[6] Fordun a Goodal, pp. 137, 138, vol. ii., places this embassy in 1286. It probably oc-

same time, Eric, king of Norway, despatched plenipotentiaries to treat with Edward regarding the affairs of his daughter the queen, and her kingdom of Scotland. The king readily accepted both offers; and finding his presence no longer necessary in France, returned to England, to superintend in person those measures of intrigue and ambition which now entirely occupied his mind. "Now," said he, to the most confidential of his ministers, "the time is at last arrived when Scotland and its petty kings shall be reduced under my power."[1] But although his intentions were declared thus openly in his private council, he proceeded cautiously and covertly in the execution of his design. At his request, the Scottish regents appointed the Bishops of St Andrews and Glasgow, assisted by Robert Bruce, lord of Annandale, and John Comyn, to treat in the presence of the King of England regarding certain matters proposed by the Norwegian commissioners, and empowered them to ratify whatever was there agreed on, "saving always the liberty and honour of Scotland;" and provided that from such measures nothing should be likely to occur prejudicial to that kingdom and its subjects.[2] To this important conference the king, on the part of England, sent the Bishops of Worcester and Durham, with the Earls of Pembroke and Warrene.

The place appointed was Salisbury; but previous to the meeting of the plenipotentiaries, Edward had secretly procured a dispensation from the Pope for the marriage of his son, the Prince of Wales, to the young Princess of Norway, as the youthful pair were within the forbidden degrees.[3] No hint, however, of this projected union was yet suffered to transpire; and the commissioners met at Salisbury, where a treaty was drawn up, in which no direct allusion was made to the marriage, although it included provisions which evidently bore upon this projected union.

It was there stipulated by the commissioners for Norway, that the young queen should be sent into the kingdom of Scotland or England, untrammelled by any matrimonial engagement, before the feast of All Saints in the next year; and that on this first condition being fulfilled, the King of England should send her into Scotland, also free from all matrimonial engagements, as soon as he was assured that this kingdom was in such a state of tranquillity as to afford her a quiet residence. This wide and convenient clause evidently gave Edward the power of detaining the heretrix of the crown for an almost indefinite period in England; and its being inserted in this treaty proves that although Bruce, by accepting the office of commissioner, appeared to have abandoned his son's claim to the crown, Edward was suspicious that the interest which looked to a male successor to the crown was still pretty high in Scotland. By the third article, the States of Scotland undertook, before receiving their queen, to find security to the King of England that she should not marry without his counsel and consent, and that of the King of Norway. The Scottish commissioners next engaged for themselves that the quiet of the kingdom of Scotland should be established before the arrival of the queen, so that she might enter her dominions with safety, and continue therein at her pleasure. With regard to the removal of guardians, or public officers in Scotland, it was determined that should any of these be suspected persons, or troublesome to the King of Norway or the Queen of Scotland, they should be removed, and better persons appointed in their place, by the advice of the "*good men*" of Scotland and Norway, and of persons selected for this purpose by the King of England; and it was stipulated that these English commissioners were ultimately to decide all disputes regarding public measures, which might occur between the ministers of Scot-

curred later. Eric's letter to Edward is dated April 1289. Rymer, vol. ii. p. 416.

[1] Fordun a Goodal, book xi. chap. iii. p. 139.

[2] Rymer, vol. ii. p. 431. Date, Oct. 3, 1289.

[3] Ibid. vol. ii. p. 450.

land and Norway, as well as all differences arising amongst the Scottish ministers themselves. It was finally agreed, that in the middle of the ensuing Lent there should be a meeting of the Estates of Scotland at Roxburgh; by which time the Scottish plenipotentiaries engaged that everything to which they had now consented should be fulfilled and ratified in the presence of the commissioners of England.[1] Of this convention three copies were made: one in Latin, which was transmitted to the King of Norway; and two in French, retained for the use of the Scots and English. At this period, the majority of the nobility of both countries were of Norman-French extraction, and Norman-French was alike in England and Scotland the language in which state affairs were generally conducted.

By this treaty, which gave so much power to Edward, and left so little to the Estates of Scotland, it is evident that some of the Scottish commissioners were in the interest of the English king. Bruce, lord of Annandale, had either altered his ambitious views, or he trusted that a temporary concealment of them, and the dissatisfaction which such a convention must occasion in Scotland, might ultimately turn to his advantage. Edward, in the meantime, neglected nothing which could secure or increase the power which he had acquired. He addressed a letter to the Estates of Scotland, requiring them to be obedient to their regents, and informing them that he meant to send into that country some of the members of his council, from whom he might receive correct information of its condition.[2] Although a dispensation from the Pope was already obtained, no allusion to the intended marriage between Prince Edward and the young queen had been made throughout the whole treaty: Edward, with his usual calm foresight, seems privately to have directed the Scottish commissioners at Salisbury, three of whom were regents, to sound the nobility of Scotland on their return, and discover the feelings of the people regarding the projected union.

Accordingly, as soon as the important project became generally known, a meeting of the Estates of Scotland assembled at Brigham, a village on the Tweed, near Roxburgh, and from thence directed a letter to Edward, which was signed by the dignified clergy, and by all the earls and barons of the realm. It stated that they were overjoyed to hear the good news which were now commonly spoken of, —"that the Apostle had granted a dispensation for the marriage of Margaret, their dear lady and their queen, with Prince Edward." It requested King Edward to send them early intelligence regarding this important measure; and assured him of their full and ready concurrence, provided certain reasonable conditions were agreed to, which should be specified by delegates, who would wait upon him at his parliament, to be held next Easter at London.[3]

A letter[4] was at the same time despatched by this assembly of the States to Eric, king of Norway, which informed him of their consent to the marriage; and requested him to fulfil the terms of the treaty of Salisbury,

1 Rymer, Fœdera, vol. ii. pp. 446, 447.
2 Ibid. p. 445.

3 Rymer, vol. ii. p. 471.
4 This important letter is in Norman-French, and as follows:—

"A tres noble Prince, Sire Eyrik, par la grace de Deu, Roy de Norway, Guillam e Robert, par meme cele grace, de Seint Andreu e de Glasgu Eveskes, Johan Comyn, & James Seneschal de Escoce, Gardains de Reaume de Escoce, e tote la commune de meyme cele Reaume, salut & totes honurs.

"Come nus feumes certayns ke vous seez desirous del honur, & del profist de nostre Dame, vostre fille, & de tute le Reaume de Escoce, par encheson de ly: e le Apostoylle ad grante, & fete dispensacion, solom coe ke communement est parle en diverses partys de Mound, ke le Fitz & le Heyr le Roy de Engletere pusse nostre dame, vostre fille, en femme prendre, nin ostaunt procheynette de Saunk.

"Nus, par commun assent de tut le Reaume de Escoce, e pur le grant profist del un & del autre Reaume, ke le mariage se face, si issint seit, avums uniement accorde, e communement assentu.

"Pur la queu chose nus priums & requerums vostre hautesse, ke il vous pleyse issint ordiner, e ceste bosoyne adrescer endroit de vous; ke meyme cele voustre fille

by sending over the young queen, at the latest before the Feast of All Saints; and intimating to him that, if this were not done, they should be obliged to follow the best counsel which God might give them, for the good of the kingdom. The nobility of Scotland could not be more anxious than Edward for the arrival of the intended bride; but the king employed a more effectual way than entreaty, by despatching to Norway one of his ablest counsellors, Anthony Beck, bishop of Durham, who, under the plausible name of pensions, distributed money among the Norwegian ministers, and obtained a promise that she should immediately be sent to England.[1] So assured of this was Edward, that, on the arrival of the Scottish envoys to his parliament held in Easter, he came under an engagement to pay 3000 marks to Scotland if Margaret did not reach England, or her own country, before the Feast of All Saints. He next appointed the Bishop of Durham, and five other plenipotentiaries, to attend a meeting of the Scottish Estates, which was held at Brigham, (July 1290,) intrusting them with full powers to conclude that treaty, on the basis of which the marriage was to take place, and, after due conference, to concur in those securities which the Scottish Estates demanded for the preservation of the independence of their country.

Dame puysse en Engletere venir a plus tous ke estre purra;

"Issint ke, a plus tart, seit en meme la terre avaunt la tut Seynt procheyn avenir, si com, de sa venue, est acorde, devaunt le vaunt dyt Roys de Engletere, entre nous & voz messages, ke iloekes vyndrunt de par vus.

"Et taunt en facet, Sire, si vous plest, ke nous vous saums le plus tenu a tou Jurs; ke, si il avenoyt ke vous ceste chose ne feisset, il nus covendroit, en ceste chose, prendre le meillour conseyl ke Deus nus dorra pur le estat du Reaume, & la bone gent de la terre.

"En temonage de les avauntdite choses nus, Gardeyns du Reaume, & la commune avantdyt, en nom de nus le Seal commun, que nus usom en Escoce, en nom de nostre Dame avaundyt, avum fet mettre a ceste lettre.

"Done a Brigham, le Vendredy procheyn a pres la Feste Seynt Gregorie, le An de nostre Seygnur 1289." Rymer, vol. ii. p. 472.

See Illustrations, Letter E.

[1] Rymer vol. ii. p. 479.

The principal articles of this treaty of Brigham are of much importance, as illustrating the justice and the inveteracy of that long war, which afterwards desolated the kingdoms. It was agreed by the English plenipotentiaries that the rights, laws, liberties, and customs of Scotland were to be inviolably observed in all time coming, throughout the whole kingdom and its marches, saving always the rights which the King of England, or any other person, has possessed, before the date of this treaty, in the marches or elsewhere; or which may accrue to him in all time coming. It was stipulated also that, failing Margaret and Edward, or either of them, without issue, the kingdom should belong to the nearest heirs, to whom it ought of right to return, wholly, freely, absolutely, and without any subjection; so that nothing shall either be added to, or taken from, the rights of the King of England, of his heirs, or of any other person whatever. The queen, if she should survive her husband, was to be given up to the Scottish nation, free from all matrimonial engagement; and, on the marriage, to be secured in a jointure befitting her rank. The kingdom of Scotland was for ever to remain separate and undivided from England, free in itself, and without subjection, according to its ancient boundaries and marches. With regard to the ecclesiastical privileges of the country, it was provided that the chapters of churches, which possessed the right of free election, were not to be compelled to travel forth of Scotland for leave to elect, or for the presentation of the bishop or dignitary, or for the performance of fealty to the sovereign. No crown-vassal, widow, orphan, or ward of the crown was to be under the necessity of performing their homage or relief out of the kingdom; but a person was to be appointed in Scotland to receive the same, by the authority of the queen and her husband. From this clause was reserved the homage which ought to be performed in the presence of the king, and fealty having been once sworn, *sasine* or legal possession

of the land, was immediately to be given by a brief from Chancery.

It was anxiously and wisely provided, that no native of Scotland was, in any case whatever, to be compelled to answer out of the kingdom regarding any civil covenant or criminal delinquency which had taken place in Scotland, as such compulsion was contrary to the ancient laws and usages of the realm; and that no parliament was to be held without the boundaries of the kingdom, as to any matters affecting the condition of its subjects. Until the arrival of the queen, the great seal of Scotland was to be used in all matters relating to God, the Church, and the nation, as it had been used during the life and after the death of the late king; and on the queen's arrival in her dominions, a new seal, with the ancient arms of Scotland alone, and the single name of the queen engraven thereon, was to be made and kept by the chancellor; it being also provided, that the chancellors, justiciars, chamberlains, clerks of the rolls, and other officers of the realm, were to be natives of Scotland, and resident there.

All charters, grants, relics, and other muniments, touching the royal dignity of the kingdom of Scotland, were to be deposited in a safe place within that kingdom, and to be kept in sure custody under the seals of the nobility, and subject to their inspection until the queen should arrive, and have living issue; and before this event took place, no alienation, encumbrance, or obligation, was to be created in any matters touching the royal dignity of the kingdom of Scotland; and no tallage, aids, levies of men, or extraordinary exactions to be demanded from Scotland, or imposed upon its inhabitants, except for the common affairs of the realm, or in the cases where the kings of Scotland have been wont to demand the same. It was proposed by the Scots that the castles and fortresses should not be fortified anew upon the marches; but the English commissioners, pleading the defect of their instructions, cautiously waved the discussion of this point.

To all the articles in the treaty, the guardians and community of Scotland gave their full consent, under the condition that they should be ratified within a certain time.[1] If not so confirmed, they were to be esteemed void; but Edward was too well satisfied with the terms of the negotiation to postpone this condition, and accordingly, without delay, pronounced the oath which was required. His next was one of those bold and unwarrantable steps which frequently marked the conduct of this ambitious and able monarch. He pretended that, without the presence of an English governor, he could not fulfil the terms of his oath to maintain the laws of Scotland; and although no such authority was given him by the treaty, he appointed Anthony Beck, bishop of Durham, to the office of Governor of Scotland, in the name of Margaret the queen, and his son Edward, and for the purpose of acting in concert with the regents, prelates, and nobles, in the administration of that kingdom, according to its ancient laws and usages.[2] Edward had already gained to his interest two of the Scottish regents. By this measure he trusted that he could overrule their deliberations; and, grown confident in his power, he intimated to the Estates, "that certain rumours of danger and perils to the kingdom of Scotland having reached his ears, he judged it right that all castles and places of strength in that kingdom should be delivered up to him."[3]

This demand effectually roused the Scots; and Sir William Sinclair, Sir Patrick Graham, and Sir John Soulis,[4] with the other captains of the Scottish castles, peremptorily refused, in the name of the community of Scotland, to deliver its fortresses to any one but their queen and her intended husband, for whose behoof they were ready to bind themselves by oath to keep and defend them. With this firm reply Edward was obliged to be satisfied;

[1] Before the Feast of the Virgin's Nativity.
[2] Rymer, vol. ii. pp. 487, 488.
[3] Ibid. p. 488.
[4] These three knights had been high in the confidence of Alexander the Third. Fordun a Hearne, p. 785.

and, sensible that he had overrated his influence, he patiently awaited the arrival of the young queen.

It was now certain that she had sailed; the guardians of the realm, accompanied by commissioners from England, were preparing to receive her; and all eyes, in both countries, were turned towards the sea, anxious to welcome the child on whom so many fair hopes depended, when accounts were brought that she had been seized with a mortal disease on her passage, and had died at Orkney. She was only in her eighth year. This fatal event, which may justly be called a great national calamity, happened in September 1290, and its first announcement struck sorrow and despair into the heart of the kingdom. In 1284, the crown had been solemnly settled on the descendants of Alexander the Third; but the parliament and the nation, confident in the vigorous manhood of the king, and the health of his progeny, had looked no further. All was now overcast. The descendants of Alexander were extinct; and Bruce and Baliol, with other noble earls or barons who claimed kindred with the blood-royal, began, some secretly, some more boldly, to form their schemes of ambition, and gather strength to assert them.

Previous to the report of the queen's death, a convention of the Scottish Estates had been held at Perth to receive Edward's answer to the refusal of delivering their castles. To this meeting of the Estates Robert Bruce, lord of Annandale, refused to come; and a great part of the nobility made no concealment of their disgust at the arrogant and unprecedented demands of the English king.[1] When the sad news was no longer doubtful, the miseries attendant on a contested throne soon began to shew themselves. Bruce assembled a large force, and suddenly came to Perth. Many of the nobility declared themselves of his party, and the Earls of Mar and Athole joined him with all their followers. If the nation and its governors had been true to themselves, all might yet have gone well; but the money and power of England had introduced other councils. One of the guardians, William Fraser, bishop of St Andrews, who had embraced the interests of Baliol, addressed a letter to Edward upon the first rumour of the queen's death, informing him of the troubled state of the country, and the necessity of his interposition to prevent the nation from being involved in blood. "Should John de Baliol," says he, "present himself before you, my counsel is, that you confer with him, so that, at all events, your honour and interest may be preserved. Should the queen be dead, which heaven forefend, I entreat that your highness may approach our borders, to give consolation to the people of Scotland, to prevent the effusion of blood, and to enable the faithful men of the realm to preserve their oath inviolable, by choosing him for their king who by right ought to be so."[2]

Edward's mind was not slow to take full advantage of this unwise application;[3] and the death of the young queen, the divisions amongst the Scottish nobility, and the divided state of the national mind as to the succession, presented a union of circumstances too favourable for his ambition to resist. The treaty of Brigham, although apparently well calculated to secure the independence of Scotland, contained a clause which was evidently intended to leave room for the pretended claim of the feudal superiority of England over this country; and even before the death of the Maid of Norway, Edward, in writs which he took care should be addressed only to persons in his own interest, had assumed the title of lord superior of the kingdom of Scotland.[4] Fully aware of the favourable conjuncture in which he was placed, and with that union of sagacity, boldness, and unscrupulous ambition which characterised his mind,

[1] Rymer, Fœdera, vol. ii. p. 1090.

[2] Rymer, Fœdera, vol. ii. p. 1090.

[3] I have here availed myself of the criticisms of an acute writer in the Edinburgh Review, to modify my former censure of this prelate.—"Edinburgh Review," No. 133. Palgrave's "Illustrations of Scottish History."

[4] Prynne, Ed. I. pp. 430-450.

he at once formed his plan, and determined, in his pretended character of lord superior, to claim the office of supreme judge in deciding the competition for the crown. His interference, indeed, had already been solicited by the Bishop of St Andrews; there is reason also to suspect, from some mutilated and undated documents recently discovered, that Bruce and his adherents had not only claimed his protection at this moment, but secretly offered to acknowledge his right of superiority;[1] but there is no authority for believing that any national proposal was, at this time, made by the Scottish Parliament, requesting his decision as arbiter, in a question upon which they only were entitled to pronounce judgment. The motives of Edward's conduct, and the true history of his interference, are broadly and honestly stated, in these words of an old English historian:—"The King of England, having assembled his privy council and chief nobility, told them that he had it in his mind to bring under his dominion the king and the realm of Scotland, in the same manner that he had subdued the kingdom of Wales."[2]

For this purpose, he deemed it necessary to collect his army, and issued writs to his barons and military tenants, commanding them to meet at Norham on the 3d June 1291.[3] The sheriffs of the counties of York, Lancaster, Westmoreland, Cumberland, and Northumberland, were also directed to summon all within their jurisdiction who owed the king service, to repair to the rendezvous with their full powers; and, in the meantime, Edward requested the clergy and nobility of Scotland to hold a conference with him at Norham on the 10th of May, to which they consented.

The English king opened the deliberations in a speech delivered by his Justiciary, Roger Brabazon, in which, after an introductory eulogium upon the godlike and regal attribute of justice, and the blessings attendant on the preservation of tranquillity, he observed, that the sight of the great disturbances, which on the death of Alexander the Third had arisen in the kingdom of Scotland, was highly displeasing to him; on this account, and for the purpose of satisfying those who had claims upon the crown, and for the confirmation of peace in the land, he had requested its nobility to meet him, and had himself travelled from remote parts, that he might do justice to all, in his character of Lord Paramount, and without encroaching upon the rights of any man. "Wherefore," concluded the Justiciary, "our lord the king, for the due accomplishment of this design, doth require your hearty recognition of his title of Lord Paramount of the kingdom of Scotland."[4]

This unexpected demand struck dismay and embarrassment into the hearts of the Scottish assembly. They declared their entire ignorance that such a right of superiority belonged to the King of England; and added, that at the present conjuncture, when the country was without its king, in whose presence such a challenge ought to be made, they could give no answer.[5] "By holy Edward!" cried the King of England, "whose crown I wear, I will either have my rights recognised, or die in the vindication of them!" "And to make this speech good," says Hemingford, "he had issued writs for the convocation of his army; so that, in case of his demand being resisted, he might conquer all opposition, were it to the death."[6]

[1] I say "suspect," because I cannot agree with the discoverer of these muniments, Sir Francis Palgrave, or with his reviewer, that the appeal of Bruce and the Earl of Mar to Edward amounts to an absolute acknowledgment of his right as lord superior. As to Sir Francis Palgrave's fanciful theory, that there existed in the ancient kingdom of Scotland a constitutional body called "The Seven Earls," possessing high privileges as a distinct estate, it is certainly singular that, if such a body did exist, there should not be found the slightest traces of its acts, or its appearance, from the dawn to the close of Scottish history.—See on this point the critique on Palgrave's "Illustrations of Scottish History," in the Edinburgh Review, No. 133.

[2] Annales Waverleenses, p. 242. Script. Brit. a Gale, vol. ii.

[3] Rymer, vol. ii. p. 525.

[4] Hemingford, vol. i. p. 33.

[5] Walsingham, p. 56.

[6] Hemingford, p. 33.

The representatives of the Estates of Scotland, who were well aware of this, now found themselves placed in trying circumstances, and requested time to consult and deliberate with their absent members. Edward at first would give them only one day; but on their insisting that a longer interval was absolutely necessary, the king granted them three weeks to prepare all that they could allege against his pretensions. This delay the king well knew would be productive of some good consequences towards his great scheme, and, at any rate, could not possibly injure his ambitious views. Before these three weeks elapsed, his army would meet him at Norham. He had already insured the services of Fraser the regent;[1] and the money and promises which he judiciously distributed had induced no less than ten competitors to come forward and claim the Scottish crown. In this way, by the brilliant prize which he held out to the most powerful of the nobility of Scotland, he placed their private ambition and their public virtue in fatal opposition to each other. All hoped that if they resigned to Edward this right of superiority, they might receive a kingdom in return; and all felt that to rise up as the defenders of the independency of a country which was then torn by mutual distrust and civil disorder, which was without a king, without an army, and with the most powerful of its nobility leagued against it, would be a desperate undertaking against so able a general, so profound a politician, and so implacable an enemy, as Edward. I do not say this to palliate the disgraceful scene which followed, nor to insinuate that any circumstances can occur which entitle the subject of a free country to sacrifice its independence, but to prove that the transaction, which was truly a deep stain upon our history, was the act not of the Scottish nation, or of the assembled states of the nation, but of a corrupted part of the Scottish nobility.

[1] On August 13, 1291, Edward made a pilgrimage from Berwick to St Andrews, probably to consult with the bishop.

To return to the story. On the 2d of June, eight of the competitors for the crown assembled, along with many of the prelates, nobles, and barons of Scotland, on a green plain called Holywell Haugh, opposite to Norham Castle. These competitors were,—Robert Bruce, Florence, earl of Holland, John Hastings, Patrick Dunbar, earl of March, William de Ross, William de Vescy, Walter Huntercombe, Robert de Pynkeny, and Nicholas de Soulis. The Bishop of Bath and Wells, then Chancellor of England, spoke for the king. He told them that his master having on a former occasion granted them three weeks to prepare their objections to his claim of superiority, and they having brought forward no answer to invalidate his right, it was the intention of the King of England, in virtue of this acknowledged right, to examine and determine the dispute regarding the succession. The chancellor then turned to Robert Bruce, and demanded whether he was content to acknowledge Edward as Lord Paramount of Scotland, and willing to receive judgment from him in that character; upon which this baron expressly answered that he recognised him as such, and would abide by his decision. The same question was then put to the other competitors, all of whom returned the same answer. Sir Thomas Randolph then stood up, and declared that John Baliol, lord of Galloway, had mistaken the day, but would appear on the morrow; which he did, and then solemnly acknowledged the superiority of the English king. At this fourth assembly, the chancellor protested, in the name of the king, that although, with the view of giving judgment to the competitors, he now asserted his right of superiority, yet he had no intention of excluding his hereditary right of property in the kingdom of Scotland, but reserved to himself the power of prosecuting such right at whatever time, and in whatever way, he judged expedient.[2]

The king in person next addressed the assembly. He spoke in Norman-

[2] Rymer, Fœdera, vol. ii. p. 551.

French; recapitulated the proceedings; and, with many professions of affection for the people of Scotland, declared his intention not only to pronounce a speedy decision in the controversy, but to maintain the laws and re-establish the tranquillity of the country. John Comyn, lord of Badenoch, called the Black Comyn, who had married a sister of Baliol, now came forward as a competitor for the crown, and acknowledged the superiority of Edward; after which, the claimants affixed their signatures to two important instruments. The first declared, that, "Forasmuch as the King of England has evidently shewn to us that the sovereign seignory of Scotland, and the right of hearing, trying, and terminating our respective claims, belongs to him, we agree to receive judgment from him, as our Lord Paramount. We are willing to abide by his decision, and consent that he shall possess the kingdom to whom he awards it."[1] By the second deed, possession of the whole land and castles of Scotland was delivered into the hands of Edward, under the pretence that the subject in dispute ought always to be placed in the hands of the judge; but on condition that Edward should find security to make a full restitution within two months after the date of his award, and that the revenues of the kingdom should be preserved for the future sovereign. It was next determined, after grave consultation with the prelates and earls, that, in order to prepare the point in dispute for an ultimate decision, Baliol and Comyn for themselves, and the competitors who approved of their list, should choose forty "discreet and faithful men" as commissioners; that Bruce, for himself, and the competitors who abided by his nomination, should choose other forty; and that Edward the king should select twenty-four commissioners, or, as he thought fit, a greater or lesser number. These commissioners were to meet in a body, to consider the claims of the competitors, and to make their report to the king.

On the 11th of June, the four regents of Scotland delivered the kingdom into the hands of Edward; and the captains and governors of its castles, finding that the guardians of the realm, and the most powerful of its nobility, had abandoned it to its fate, gave up its fortresses to his disposal. And here, in the midst of this scene of national humiliation, one Scottish baron stood forward, and behaved worthy of his country. The Earl of Angus, Gilbert de Umfraville, who commanded the important castles of Dundee and Forfar, declared that, having received these, not from England, but from the Estates of Scotland, he would not surrender them to Edward. A formal letter of indemnity was then drawn up, which guaranteed the Earl of Angus from all blame; and, in name of the claimants of the crown, and of the guardians of the realm, enjoined him to deliver the fortresses of which he held the keys. This removed the objection of Umfraville, and Dundee and Forfar were placed in the hands of Edward. The King of England, satisfied with this express acknowledgment of his rights as Lord Paramount, immediately redelivered the custody of the kingdom into the hands of the regents, enjoining them to appoint Alan, bishop of Caithness, an Englishman, and one of his dependants, to the important office of chancellor; and to nominate Walter Agmondesham, another agent of England, as his assistant. To the four guardians, or regents, Edward next added a fifth, Bryan Fitz-Alan, an English baron; and having thus secured an effectual influence over the Scottish councils, he proceeded to assume a generous and conciliating tone. He promised to do justice to the competitors within the kingdom of Scotland,[2] and to deliver immediate possession of the kingdom to the successful claimant; upon the death of any king of Scotland who left an heir, he engaged to wave his claim to those feudal services, which, upon such an

[1] Hemingford, vol. i. p. 34. Rymer, Fœdera, vol. ii. p. 529.

[2] Rymer, vol. ii. p. 532.

occasion, were rigidly exacted by lords superior in smaller fiefs, with the exception of the homage due to him as Lord Paramount; but he stipulated that, in the event of a disputed succession occurring, the kingdom and its castles were to be again delivered into his hands.[1]

The first act of this extraordinary drama now drew to a conclusion. The great seal, which had been brought from Scotland for the occasion, was delivered to the joint chancellors, the Bishop of Caithness and Walter Agmondesham. The four guardians, in the presence of a large concourse of English and Scottish nobility, swore fealty to Edward as lord superior; while Bruce, lord of Annandale, with his son, the earl of Carrick, John de Baliol, the Earls of March, Mar, Buchan, Athole, Angus, Lennox, and Menteith, the Black Comyn, lord of Badenoch, and many other barons and knights, followed them in taking the oaths of homage. A herald then proclaimed the peace of King Edward as Lord Paramount; and the monarch added a protestation, that his consent to do justice in this great cause within Scotland should not preclude him from his right of deciding in any similar emergency within his kingdom of England. The assembly then broke up, after an agreement that its next meeting should be at Berwick on the 2d of August, on which day the King of England promised to deliver his final judgment upon the succession to the crown of Scotland.[2]

It was now only the 13th of July, and Edward determined to employ the interval till the 2d of August in a progress through Scotland, for the purpose of receiving the homage of its inhabitants, and examining in person the disposition of the people, and the strength of the country. He proceeded, by Edinburgh and Stirling, as far as Perth, visiting Dunfermline, St Andrews, Kinghorn, and Linlithgow; and at these places peremptorily called upon persons of all ranks—earls, barons, and burgesses—to sign the rolls of homage, as vassals of the king of England.[3] In the more remote districts, which he could not visit, officers were appointed to receive the oaths, and enforce them by imprisonment upon the refractory;[4] and having thus examined and felt the temper of the country, which he had determined to reduce under his dominion, he returned to Berwick; where, in the presence of the competitors, with the prelates, earls, and barons of both countries, assembled in the chapel of the castle, he, on the 3d of August, opened the proceedings.

First of all, he commanded the hundred and four commissioners, or delegates, to assemble in the church of the Dominicans, adjoining to the castle, and there receive the claims to the crown. Upon this, twelve competitors came forward. These were :—

I. Florence, count of Holland, descended from Ada, the sister of King William the Lion.

II. Patrick Dunbar, earl of March, descended from Ilda, or Ada, daughter of William the Lion.

III. William de Vescy, who claimed as grandson of Marjory, daughter of William the Lion.[5]

IV. William de Ross, descended from Isabella, daughter of William the Lion.

V. Robert de Pynkeny, descended from Marjory, daughter of Henry, prince of Scotland, and sister of William the Lion.

VI. Nicholas de Soulis, descended from Marjory, a daughter of Alexander the Second, and wife of Alan Durward.

VII. Patrick Galythly, claimed as the son of Henry Galythly, who, he contended, was the lawful son of William the Lion.

VIII. Roger de Mandeville, descended from Aufrica, whom he affirmed to be a daughter of William the Lion.

IX. John Comyn, lord of Badenoch,

[1] Rymer, vol. ii. p. 601.
[2] Ibid. vol. ii. p. 553.
[3] Prynne, Edw. I. p. 509-512.
[4] Rymer, vol. ii. p. 573.
[5] The Chronicle of Melrose, p. 100, ad annum 1193, calls her Margaret.

who claimed as a descendant of Donald, formerly King of Scotland.

X. John de Hastings, who was the son of Ada, the third daughter of David, earl of Huntingdon, brother to King William the Lion.

XI. Robert de Bruce, who was the son of Isabel, second daughter of David, earl of Huntingdon; and lastly,

XII. John de Baliol, who claimed the crown as the grandson of Margaret, the eldest daughter of David, earl of Huntingdon.[1]

The petitions of these various claimants having been read, Edward recommended the commissioners to consider them with attention, and to give in their report at his next parliament, to be held at Berwick on the 2d of June, in the following year. This was an artful delay. Its apparent purpose was to give the commissioners an interval of nine or ten months to institute their inquiries; yet it served the more important object of accustoming the nobility and people of Scotland to look to Edward as their Lord Paramount. When the parliament assembled at Berwick on the appointed day, and when Eric, king of Norway, appeared by his ambassadors, and insisted on his right to the crown of Scotland as the heir of his daughter Margaret, his petition and the claims of the first nine competitors were easily disposed of. They were liable to insuperable objections: some on account of the notorious illegitimacy of the branches from which they sprung, which was the case with the Earl of March, along with the barons William de Ross and De Vescy; others were rejected because they affirmed that they were descendants of a sister of the Earl of Huntingdon, when the direct representatives of a brother of the same prince were in the field.

Indeed, before the final judgment was pronounced, these frivolous competitors voluntarily retired. They had been set up by Edward, with the design of removing the powerful opposition which might have arisen to his schemes, had they declared themselves against him; and to excuse his delay in giving judgment, by throwing an air of intricacy over the case. This object being gained, the king commanded the commissioners to consider, in the first place, the claims of Bruce and Baliol; thus quietly overlooking the other competitors, whose rights were reserved, never to be again brought forward; and virtually deciding that the crown must be given to a descendant of David, earl of Huntingdon. The scene which followed was nothing more than a premeditated piece of acting, planned by Edward, and not ill performed by the Scottish commissioners, who were completely under his influence. The king first required them to make oath that they would faithfully advise him by what laws and usages the question should be determined: they answered, that they differed in opinion as to the laws and usages of Scotland, and its application to the question before them; and therefore required the assistance of the English commissioners, as if from them was to proceed more certain or accurate advice upon the law of Scotland. A conference with the commissioners of the two nations having taken place, it was found that the differences in opinion were not removed. The English commissioners modestly refused to decide until they were enlightened by the advice of an English parliament; and the king, approving of their scruples, declared his resolution to consult the learned in foreign parts; and recommended all persons of both kingdoms to revolve the case in their minds, and consider what ought to be done. He then appointed a parliament to assemble at Berwick on the 15th of October; at which meeting of the Estates he intimated he would pronounce his final decision.

On the meeting of this parliament at the time appointed, Edward required the commissioners to give an answer to these two questions:—1st, By what laws and customs they ought to regulate their judgment? or, in the event of there being either no laws for the determination of such a point, or if the laws of England and Scotland

[1] Rymer, Fœdera, vol. ii. pp. 578, 579.

happened to be at variance, what was to be done? And, 2d, Was the kingdom of Scotland to be regarded as a common fief, and the succession to the crown to be regulated by the same principles which were applicable to earldoms and baronies? The commissioners replied, that the laws and usages of the two kingdoms must rule the question; but if none existed to regulate the case, the king must make a new law for a new emergency; and that the succession to the Scottish crown must be decided in the same manner as the succession to earldoms, baronies, and other indivisible inheritances. The king then addressed himself to Bruce and Baliol, and required them to allege any further arguments in explanation of their right; upon which they entered at great length into their respective pleadings upon the question.

Bruce insisted that, being the son of Isabella, second daughter of David, earl of Huntingdon, he was next heir to the crown; that Alexander the Second had so declared to persons yet alive, when the king despaired of having heirs of his own body; and that an oath had been taken by the people of Scotland to maintain the succession of the nearest in blood to Alexander the Third, failing the Maid of Norway and her issue. He maintained that a succession to a kingdom ought to be decided by the law of nature, rather than by the principles which regulated the succession of vassals and subjects; by which law he, as nearest to the royal blood, ought to be preferred; and that the custom of succession to the Scottish crown — by which the brother, as nearest in degree, excluded the son of the deceased monarch — supported his title. He contended that a woman, being naturally incapable of government, ought not to reign; and, therefore, as Devorguilla, the mother of Baliol, was alive at the death of Alexander the Third, and could not reign, the kingdom devolved upon him, as the nearest male of the blood-royal.

To all this Baliol replied, that as Alexander the Second had left heirs of his body, no conclusion could be drawn from his declaration; that the claimants were in the court of the Lord Paramount, of whose ancestors, from time immemorial, the realm of Scotland was held by homage; and that the King of England must give judgment in this case as in the case of other tenements held of the crown, looking to the law and established usages of his kingdom; that, upon these principles, the eldest female heir is preferred in the succession to all inheritance, indivisible as well as divisible, so that the issue of a younger sister, although nearer in degree, did not exclude the issue of the elder, though in a degree more remote, the succession continuing in the direct line. He maintained that the argument of Bruce, as to the ancient laws of succession in the kingdom of Scotland, truly militated against himself; for the son was nearer in degree than the brother, yet the brother was preferred. He observed, that Bruce's argument, that a woman ought not to reign, was inconsistent with his own claim; for if Isabella, the mother of Bruce, had no right to reign, she could transmit to him no claim to the crown; and besides all this, he had, by his own deliberate act, confuted the argument which he now maintained, having been one of those nobles who swore allegiance to Margaret, the Maiden of Norway.

The competitors, Bruce and Baliol, having thus advanced their claims, King Edward required of his great council a final answer to the following question, exhorting bishops, prelates, earls, barons, and commissioners, to advise well upon the point:—"By the laws and customs of both kingdoms ought the issue of an elder sister, but more remote by one degree, to exclude the issue of the younger sister, although one degree nearer?" To this the whole council unanimously answered, that the issue of the elder sister must be preferred; upon which Edward, after affectedly entreating his council to reconsider the whole cause, adjourned the assembly for three weeks, and appointed it to meet

again on Thursday the 6th of November.

On this day, in a full meeting of all the competitors, the commissioners, and the assembled nobility of both countries, the king declared that, after weighing Bruce's petition, with its circumstances, and deeply considering the arguments on both sides, it was his final judgment that the pretensions of that noble person to the Scottish crown must be set aside, and that he could take nothing in the competition with Baliol. The great drama, however, was not yet concluded; for the king having ordered the claims of Baliol, and the other competitors, which were only postponed, to be further heard, Bruce declared that he meant to prosecute his right, and to present a claim for the whole or a part of the kingdom of Scotland, under a different form from what he had already followed. Upon this, John de Hastings, the descendant of the third daughter of David, earl of Huntingdon, stood up, and affirmed that the kingdom of Scotland was partible, and ought, according to the established laws of England as to partible fiefs, to be divided equally amongst the descendants of the three daughters. This plea was founded upon an opinion of one of the French lawyers, whom Edward had consulted; and Hastings had no sooner concluded than Bruce again presented himself, and, adopting the argument of Hastings, claimed a third part of Scotland, reserving always to Baliol, as descended from the eldest sister, the name of king, and the royal dignity. Edward then put the question to his council, "Is the kingdom of Scotland divisible; or, if not, are its escheats or its revenues divisible?" The council answered, "That neither could be divided." Upon which the king, after having taken a few days more to re-examine diligently, with the assistance of his council, the whole of the petitions, appointed the last meeting for the hearing of the cause to be held in the castle of Berwick, on the 17th of November.

On that great and important day, the council and parliament of England, with the nobility of both countries, being met, the various competitors were summoned to attend; upon which Eric, king of Norway, Florence, earl of Holland, and William de Vescy, withdrew their claims. After this, Patrick, earl of March, William de Ross, Robert de Pynkeny, Nicholas de Soulis, and Patrick Galythly, came forward in person, and followed the same course. John Comyn and Roger de Mandeville, who did not appear, were presumed to have abandoned their right; and the ground being thus cleared for Edward's final judgment, he solemnly decreed: That the kingdom of Scotland being indivisible, and the King of England being bound to judge of the rights of his subjects according to the laws and usages of the people over whom he reigns, by which laws the more remote in degree of the first line of descent is preferable to the nearer in degree of the second; therefore, John Baliol ought to have seisin of the kingdom of Scotland, with reservation always of the right of the King of England and of his heirs, when they shall think proper to assert it. After having delivered judgment, Edward exhorted Baliol to be careful in the government of his people, lest by giving to any one a just cause of complaint he should call down upon himself an interference of his Lord Paramount. He commanded the five regents to give him seisin of his kingdom, and directed orders to the governors of the castles throughout Scotland to deliver them into the hands of Baliol.[1] A humiliating ceremony now took place. The great seal

[1] Rymer, Fœdera, vol. ii. p. 590. Rotuli Scotiæ, vol. i. p. 11. The forts of Scotland, with their English governors, were these:—

Forts.	*Governors.*
Stryvelin	Norman de Arcy.
Aberdeen, Kincardyn	John de Gildeford.
Inverness, Dingwall	William de Braytoft.
Invernairn, Crumbarthyn, *i.e.* Cromarty	Thomas de Braytoft.
Forres and Elgin	Henry de Rye.
Banff and Aboyne	Robert de Grey. Richard de Swethop.

of Scotland, which had been used by the regents since the death of Alexander the Third, was, in the presence of Edward, Baliol, Bruce, and a concourse of the nobility of both kingdoms, broken into four parts, and the pieces deposited in the treasury of the King of England, to be preserved as an evidence of the pretended sovereignty and dominion of that kingdom over Scotland.[1] Next day Baliol, in the castle of Norham, swore fealty to Edward, who gave a commission to John de St John to perform the ceremony of his coronation, by placing the new monarch upon the ancient stone seat of Scone. This ought to have been done by Duncan, earl of Fife, but he was then a minor. Baliol was accordingly crowned upon St Andrew's day, and soon after passed into England, where he concluded the last act of this degrading history, by paying his homage to Edward at Newcastle-upon-Tyne, on the day after Christmas.[2]

CHAPTER II.

JOHN BALIOL.

1292—1305.

EDWARD'S scheme for the subjugation of Scotland was not yet completed; but all had hitherto succeeded to his wishes. He had procured the acknowledgment of a claim of superiority over that kingdom, which, if Baliol should refuse to become the creature of his ambition, gave him a specious title to compel obedience as Lord Paramount. By holding out the prospect of a crown to the various competitors, and by many rich grants of estates and salaries to the prelates and the nobility, he had succeeded in securing them to his interest;[3] and if any feelings of indignation, any spirit of ancient freedom and resistance, remained, the apparent hopelessness of fighting for a country which seemed to have deserted itself, and against a prince of so great a military genius as Edward, effectually stifled it for the present.

Forts.	*Governors.*
Forfar, Dundee, Gedewarth, Rokesburgh	Brian Fitz-Alan.
Cluny	Hugh de Erth.
Are and Dumbrettan	Nicholas de Segrave.
Dumfries, Wigton and Kirkcudbright	Richard Seward.
Edinburgh	Ralph Basset.
Berwick	Peter Burder.

[1] Rymer, vol. ii. p. 591.

[2] Fordun a Hearne, p. 967.

[3] This appears from the Rotuli Scotiæ, vol. i. p. 24, *et passim*. He gave the Bishop of Glasgow an obligation to bestow on him lands to the annual value of £100. To James the Steward, lands of the same annual value.

	Annual value.
To Patrick, earl of Dunbar,	Lands of £100
To John de Soulis,	Lands of 100 mks.
To William Sinclair,	Lands of 100 mks.
To Patrick de Graham,	Lands of 100 mks.
To William de Soulis,	Lands of £100

All these persons were to have lands of the subjoined value, "Si contingat Regnum Regi et heredibus suis remanere." Edward afterwards changed his plan, and gave these barons and prelates gratifications in money, or other value. But to John Comyn, the King of England gave the large sum of £1563, 14s. 6½d.—Rotuli Scotiæ, vol. i. p. 17, 6th January 1292. He took care, however, to reimburse himself by keeping the wards, marriages, and other items of the revenue, which had fallen to the Scottish crown during the interregnum, as may be seen from many places in the Rotuli Scotiæ.

Baliol had scarce taken possession of his kingdom when an event occurred

which recalled him to a sense of his miserable subjection, and brought out the character of Edward in all its severity. It had been a special provision of the treaty of Brigham, that no Scottish subject was to be compelled to answer in any criminal or civil suit, without the bounds of the kingdom; but, in the face of this, Roger Bartholomew, a citizen of Berwick, entered an appeal to the King of England, from a judgment of those regents whom he had appointed in Scotland during the interregnum. Baliol was not slow to remind Edward of his solemn promise to observe the laws and usages of Scotland; and he earnestly protested against withdrawing any pleas from that kingdom to the courts of England.[1] To this Edward replied, that he had in every article religiously observed his promise; but that when complaints were brought against his own ministers, who held their commissions from him as Sovereign Lord of Scotland, it was he alone who could have cognisance of them, nor had his subjects therein any right to interpose. He then, with that air of apparent impartiality which he often threw over his aggressions, required the opinion of some of the ablest Scottish prelates and judges, with regard to the law and custom of their kingdom in one of the cases brought before him; and commanded his council to decide according to the judgment which they delivered.[2] Irritated, however, by being reminded of the treaty of Brigham, he openly declared, by his justiciary Brabazon, that although, during the vacancy of the kingdom of Scotland, he had been induced to make promises which suited the time, now when the nation was ruled by a king, he did not intend to be bound by them, to the effect of excluding complaints brought before him from that kingdom, or of preventing him from dispensing justice and exercising the rights of his sovereign dominion, according to his power and pleasure. To give the greater weight to this imperious announcement, the King of England summoned Baliol and his principal prelates and nobles into his privy chamber at Newcastle, and there made Brabazon repeat his resolutions upon the matter in question; after which, Edward himself rose up, and, in the French language, spoke to the same tenor. "These are my firm determinations," said he, "with regard to all complaints or appeals brought before me from Scotland; nor will I be bound by any former promises or concessions made to the contrary. I am little careful by what deeds or instruments they may be ratified; I shall exercise that superiority and direct dominion which I hold over the kingdom of Scotland, when and where I please; nor will I hesitate, if necessary, to summon the King of Scotland himself into my presence within the kingdom of England."[3]

Baliol's spirit sunk under this declaration; and he, and the Scottish nobility then in his train, pusillanimously consented to buy their peace with Edward by a renunciation of all stipulations regarding the laws and liberties of Scotland which had been made in the treaty of Brigham, and which, so long as they continued in force, convicted the King of England of a flagrant disregard of his oath, formerly so solemnly pledged. On this being agreed to, Edward ordered the public records and ancient historical muniments of the kingdom, which had formerly been transmitted from Edinburgh to Roxburgh, to be delivered to the King of Scotland. He also, out of special favour, commanded possession of the Isle of Man to be given to him;[4] and, softened by these concessions, Baliol returned to his kingdom. But it was only to experience fresh mortification, and to feel all the miseries of subjection.

The policy of Edward towards Scotland and its new king was at once artful and insulting. He treated every assumption of independent sovereignty

[1] Rymer, vol. ii. p. 596.
[2] Ryley's Placita, p. 145.
[3] Rymer, Fœd. vol. ii. p. 597. Tyrrel's England, vol. iii. p. 74.
[4] Edward, in 1290, when Margaret was alive, had taken under his protection her kingdom of Man, at the request of its inhabitants.—Rymer, vol. ii. p. 492.

with rigour and contempt, and lost no opportunity of summoning Baliol to answer before him to the complaints brought against his government; he encouraged his subjects to offer these complaints by scrupulously administering justice according to the laws and customs of Scotland; and he distributed lands, pensions, and presents, with well-judged munificence, amongst the prelates and the nobility. The King of Scotland possessed large estates both in England and Normandy; and in all the rights and privileges connected with them he found Edward certainly not a severe, almost an indulgent, superior. To Baliol the vassal he was uniformly lenient and just:[1] to Baliol the king he was proud and unbending to the last degree. An example of this soon occurred.

The Earl of Fife died, leaving his son Duncan a minor, and the earldom to the protection of the Bishop of St Andrews. Macduff, the grand-uncle of Duncan, then seized it; but being ejected by the bishop, on complaining to Edward, was, at the king's command, restored to his estates by the sentence of the Scottish regents. When Baliol held his first parliament at Scone,[2] Macduff was summoned to answer for his having taken forcible possession of lands, which, since the death of the last Earl of Fife, were in the custody of the king. He attempted a defence; but being found guilty, suffered a short imprisonment. On his release, he was not slow to carry his appeal to the King of England; and Edward immediately summoned Baliol to answer in person before him to the allegations of Macduff.[3] To this order Baliol paid no regard, and Edward again commanded him to appear. This was not all. He procured his parliament to pass some regulations regarding the attendance of the King of Scots, which, from their extreme severity, seem to have been expressly intended to exasperate this monarch, who found that, in every case of appeal, he was not only to be dragged in as a party, but that his personal attendance was to be rigidly exacted. The first was a grievous, the last an intolerable burden, to which no one with even the name of a king could long submit.[4]

Meanwhile, dissembling his chagrin, he appeared in the English parliament held after Michaelmas, where Macduff was also present. When the cause of this baron noble came on, Baliol was asked what defence he had to offer. "I am," said he, "the King of Scotland. To the complaint of Macduff, or to any matters respecting my kingdom, I dare not make an answer without the advice of my people." "What means this refusal?" cried Edward. "Are you not my liegeman,—have you not done homage to me,—is it not my summons that brings you here?" To this impetuous interrogation the Scottish monarch firmly answered, "Where the business respects my kingdom, I neither dare, nor can answer, in this place, without the advice of my people."[5] An artful proposal was then made by Edward, that, in order to consult with his people, he should adjourn giving his final reply to a future day; but this he peremptorily declined, declaring that he would neither name a day nor consent to an adjournment. Under these circumstances, the English parliament proceeded to pronounce judgment. They declared that the King of Scotland was guilty of open contempt and disobedience. He had, they said, offered no defence, but made a reply which went to elude and weaken the jurisdiction of his liege lord, in whose court as a vassal he had claimed the crown of Scotland. In consequence of which they advised the King of England, not only to do full justice to Macduff, and to award damages against Baliol, but, as a punishment for his feudal delinquency, to seize three of his principal castles in Scotland, to remain in the hands of the English monarch until he should make satisfaction for the

[1] Rymer, vol. ii. p. 635.
[2] Winton, vol. ii. p. 73.
[3] Rymer, Fœdera, vol. ii. p. 606. Fordun a Hearne, p. 968.
[4] Ryley's Placita, p. 151. Hailes' Annals, vol. i. p. 227.
[5] Ryley's Placita, p. 158.

injury offered to his lord superior.[1] Before this judgment of the parliament was publicly made known, Baliol presented himself to Edward, and thus addressed him: "My lord, I am your liegeman for the kingdom of Scotland; and I entreat you that, as the matters wherewith you now are occupied concern the people of my kingdom no less than myself, you will delay their consideration until I have consulted with them, lest I be surprised from want of advice; and this the more especially, as those now with me neither will, nor dare give me their opinion, without consulting with the Estates of the kingdom. After having advised with them, I will, in your first parliament after Easter, report the result, and perform what is my duty."

It was evident that the resolutions of the parliament were unnecessarily violent, and could not have been carried into effect without the presence of an army in Scotland. The King of England, aware of this, and dreading to excite a rebellion, for which he was not then prepared, listened to the demand of Baliol, and delayed all proceedings until the day after the Feast of the Trinity, in 1294.[2]

Not long after this, Edward, who was a vassal of the King of France for the duchy of Aquitaine, became involved with his lord superior, in a quarrel similar to that between himself and Baliol. A fleet of English vessels, belonging to the Cinque Ports, had encountered and plundered some French merchant ships; and Philip demanded immediate and ample satisfaction for the aggression. As he dreaded a war with France, Edward proposed to investigate, by commissioners, the causes of quarrel; but this seemed too slow a process to the irritated feelings of the French king; and, exerting his rights as lord superior, he summoned Edward to appear in his court at Paris, and there answer, as his vassal, for the injuries which he had committed. This order was, of course, little heeded; upon which Philip, sitting on his throne, gave sentence against the English king; pronounced him contumacious, and directed his territories in France to be seized, as forfeited to the crown.[3] Edward soon after renounced his allegiance as a vassal of Philip; and, with the advice of his parliament, declared war against France.

To assist him in this war, he summoned Baliol, and others of the most powerful of the Scottish nobles, to attend him in person with their armed vassals; but his insolent and overbearing conduct had entirely disgusted the Scots. They treated his summons with scorn; and, instead of arming their vassals for his assistance, they assembled a parliament at Scone.[4] Its first step was, under the pretence of diminishing the public charges, to dismiss all Englishmen from Baliol's court; and having thus got rid of such troublesome spies upon their measures, they engaged in a treaty of alliance with France,[5] and determined upon war with Edward. Many estates in Scotland were at this time held by English barons, and many also of the most powerful of the Scottish nobility possessed lands in England. Anxious for a general union against the common enemy, the Scottish estates in the hands of English barons were forfeited, and their proprietors banished; while those Scottish nobles who remained faithful to Edward had their lands seized and forfeited.[6] In this way Robert Bruce lost his rich lordship of Annandale. It was given to John Comyn, earl of Buchan, who instantly assumed the rights of a proprietor, and took possession of its castle of Lochmaben—an injury which, in that fierce age, could never be forgotten.

Edward, although enraged at the conduct of the Scottish parliament, and meditating a deep revenge, was at this time harassed by a rebellion of

1 Prynne's Edward I., pp. 537, 554.
2 Ryley's Placita, pp. 152, 160. Prynne's Edward I., p. 554.
3 Tyrrel's England, vol. iii. p. 79. Prynne's Edward I., pp. 583, 584.
4 Fordun a Goodal, vol. ii. p. 153.
5 Rymer, vol. ii. p. 695.
6 Hemingford, p. 83, vol. i. Hailes, vol. i. p. 240.

the Welsh, and a war with France. Dissimulation and policy were the weapons to which he had recourse, whilst he employed the interval which he gained in sowing dissension among the Scottish nobles, and collecting an army for the punishment of their rebellion. To Bruce, the son of the competitor for the crown, whose mind was irritated by the recent forfeiture of his estates, he affected uncommon friendship; regretted his decision in favour of the now rebellious Baliol; declared his determination to place him on the throne, of which the present king had shewn himself unworthy; and directed him to inform his numerous and powerful friends in Scotland of this resolution.[1] Bruce either trusted to the promises, or was intimidated by the power of Edward. Besides this, Comyn, earl of Buchan, who now mainly directed the Scottish councils, was his enemy, and held violent possession of his lordship of Annandale. To join with him was impossible; and accordingly this powerful baron and his son, afterwards king, with Dunbar, earl of March, and Umfraville, earl of Angus, repaired to Edward, and renewed to him their oaths of homage.[2] The undecided character of Baliol was ill calculated to remove this disunion amongst the Scottish nobles; and the party who then ruled in the Scottish parliament, dreading a submission upon the part of their king, secluded him from all power, confined him in a mountain fortress, and placed the management of affairs in the hands of twelve of the leading nobles.[3]

The measures adopted by these guardians were decided and spirited. They, in the name of the King of Scots, drew up an instrument, renouncing all fealty and allegiance to Edward, on account of the many and grievous injuries committed upon his rights and property as King of Scotland.[4] They despatched ambassadors to France, who concluded a treaty of marriage and alliance, by which the niece of Philip, daughter of Charles, count of Valois, was to be united to the eldest son of Baliol[5]—the French king engaging to assist the Scots with troops kept at his own charges; and they assembled an army under the command of Comyn, earl of Buchan, which invaded Cumberland.[6] This expedition, however, returned without honour, having been repulsed in an attempt to storm Carlisle.

Nothing could be more favourable for Edward than the miserably disunited state of Scotland. He knew that three powerful factions divided the country, and hindered that firm political union without which, against such an enemy, no successful opposition could be made. Bruce, and his numerous and powerful followers, adhered to England. The friends of Baliol, and that part of the nation which recognised him for their sovereign, beheld him a captive in one of his own fortresses, and refused to join the rebels who had imprisoned him; and the party of Comyn, which had invaded England, were either so destitute of military talent, or so divided amongst themselves, that a handful of the citizens of Carlisle compelled them to retreat with loss into their own country. These advantages, the result of his own able and artful policy, were easily perceived by the King of England. It was now his time for action, and for inflicting that vengeance upon his enemies, which, with this monarch, the longer it was delayed was generally the more sure and terrible. He assembled a numerous and well appointed army. It consisted of thirty thousand foot, and four thousand heavy-armed horse. He was joined by Beck, the warlike Bishop of Durham, at the head of a thousand foot and five hundred horse; and with this combined force, and the two sacred banners of St John of Beverley and St Cuthbert of Durham carried before the army,[7]

[1] Fordun a Hearne, p. 971.
[2] Hemingford, vol. i. p. 102.
[3] Math. Westminster, p. 425.
[4] Fordun a Hearne, p. 969.
[5] Fœdera, vol. ii. p. 696.
[6] Hemingford, p. 87. Trivet, p. 288.
[7] Rymer, vol. ii. p. 732. Prynne's Edward I., p. 667. Anthony Beck was a prelate, whose state and magnificence were exceeded only by his sovereign. His ordinary personal

he marched towards Scotland. It appears that some time before this Edward had thought proper to grant a prolongation of the term agreed on for the decision of the question of Macduff, and had required Baliol to attend him as his vassal at Newcastle-upon-Tyne.[1] On arriving there, he summoned the King of Scotland; and after waiting a few days for his appearance, advanced to the eastern border, and crossed the Tweed with his main army below the Nunnery of Coldstream. On the same day the Bishop of Durham forded the river at Norham; and the whole army, marching along the Scottish side, came before the town of Berwick, then in the hands of the Scots.[2]

Edward was determined, at all sacrifices, to make himself master of this city. It was celebrated for the riches and the power of its merchants; and the extent of its foreign commerce, in the opinion of a contemporary English historian, entitled it to the name of another Alexandria.[3] It was protected only by a strong dyke, but its adjacent castle was of great strength, and its garrison had made themselves obnoxious to the king, by plundering some English merchant ships which had unsuspiciously entered the port. The king summoned it to surrender, and offered it terms of accommodation, which, after two days' consideration, were refused. Edward, upon this, did not immediately proceed to storm, but drew back his army to a field near a nunnery, about a mile from the town, and where, from the nature of the ground, he could more easily conceal his dispositions for the attack. He then despatched a large division, with orders to assault the town, choosing a line of march which concealed them from the citizens; and he commanded his fleet to enter the river at the same moment that the great body of the army, led by himself, were ready to storm.[4] The Scottish garrison fiercely assaulted the ships, burnt three of them, and compelled the rest to retire;[5] but they, in their turn, were driven back by the fury of the land attack. Edward himself, mounted on horseback,[6] was the first who leaped the dyke; and the soldiers, animated by the example and presence of their king, carried everything before them. All the horrors of a rich and populous city sacked by an inflamed soldiery, and a commander thirsting for vengeance, now succeeded. Seventeen thousand persons,[7] without distinction of age or sex, were put to the sword; and for two days the city ran with blood like a river. The churches, to which the miserable inhabitants had fled for sanctuary, were violated and defiled with blood, spoiled of their sacred ornaments, and turned into stables for the English cavalry.[8]

In the midst of this massacre a fine trait of fidelity occurred. The Flemings at this period carried on a lucrative and extensive trade with Scotland, and their principal factory was established in Berwick. It was a strong building, called the Red-hall, which, by their charter, they were bound to defend to the last extremity against the English. True to their engagements, thirty of these brave merchants held out the place against the whole English army. Night came, and still it was not taken. Irritated by this obstinate courage, the English set it on fire, and buried its faithful defenders in the burning ruins.[9] The massacre of Berwick, which took place on Good Friday, was a terrible example of the vengeance which Edward was ready to inflict upon his enemies. Its plunder enriched his army, and it never recovered its commercial importance

suite consisted of a hundred and forty knights.—Hutchinson's History of the County Palatine of Durham, p. 239.

1 Prynne's Edward I., p. 537.

2 Hemingford, p. 89.

3 Torfæus, book i. chap. xxxii. Chron. of Lanercost, a Stevenson, pp. 162, 185.

4 Fordun a Goodal, vol. ii. p. 159. Hemingford, vol. i. p. 90.

5 Hemingford, p. 90.

6 Langtoft's Chronicle, vol. ii. p. 272. His horse's name, we learn from this Chronicle, was Bayard.

7 Knighton, apud Twysden, p. 2480.

8 Fordun, book xi. chap. liv. lv.

9 Hemingford, vol. i. p. 91. Hailes' Annals, vol. i. p. 236.

and prosperity. Sir William Douglas, who commanded the castle, after a short defence surrendered, and swore fealty to the King of England; and its garrison, after taking an oath not to bear arms against that country, were allowed to march out with military honours.[1]

Whilst Edward remained at Berwick, engaged in throwing up new fortifications against future attacks, Henry, abbot of Arbroath, attended by three of his monks, appeared at his court, and delivered to him the instrument containing Baliol's renunciation of his homage. "You have," said the Scottish king, "wantonly summoned me to your courts; you have committed grievous outrages and robberies upon my subjects, both by sea and land; you have seized my castles and estates in England, killed and imprisoned my subjects, and the merchants of my realm; and when I demanded a redress of these injuries, you have invaded my dominions at the head of a vast army, with the purpose of depriving me of my crown; and have cruelly ravished the land. Wherefore, I renounce that fealty and homage which have been extorted from me; and do resolve openly to oppose myself, in defence of my kingdom, against Edward of England."[2]

Edward received this letter with angry contempt. "The senseless traitor!" said he; "of what folly is he guilty! But since he will not come to us, we will go to him!"[3]

Enraged at the dreadful vengeance inflicted on Berwick, the Scottish army, under the Earls of Ross, Menteith, and Athole, made a second inroad into England; and, imitating the example of Edward, with merciless severity ravaged Redesdale and Tynedale, carrying away a great booty, and sparing neither sex nor age.[4] The flames of towns and villages, and the ashes of the ancient monasteries of Lanercost and Hexham, marked their destructive progress; but the vengeance of the Scots was short-lived, and their plans unconnected. That of their enemy was the very opposite: it was deep-laid in its plans, simultaneous in its movements, and remorseless in its contemplation of consequences.

The castle of Dunbar was at this time one of the strongest, and, by its situation, most important in Scotland. Its lord, Patrick, earl of Dunbar, served in the army of Edward; but his wife, the countess, who held the castle, and hated the English, entered into a secret negotiation with the Scottish leaders for its delivery into the hands of her countrymen. The Earls of Ross, Athole, and Menteith, the barons John Comyn, William St Clair, Richard Seward, and John de Mowbray, with thirty-one knights and a strong force, threw themselves into the place; and, assisted by the countess, easily expelled the few soldiers who remained faithful to England.[5] On being informed of this loss, Edward determined upon recovering it at all hazards; and for this purpose despatched the Earl of Surrey with ten thousand foot and a thousand heavy-armed horse. When summoned by Warrene, the garrison agreed to surrender, unless relieved within three days; and the Scots, anxious to retain so important a place, led on the whole of their army, and possessed themselves of a strong and excellent position on the high ground above Dunbar. Forty thousand foot, and fifteen hundred horse, encamped on the heights near Spot; and, confident of rescue, the garrison of the castle insulted the English from the walls, as if already beaten.[6]

On the first appearance of the Scottish army, Surrey steadily advanced to attack it. On approaching the high ground, it was necessary to deploy through a valley; and the Scots imagined they observed some confusion in the English ranks when executing

[1] Hemingford, vol. i. p. 91.

[2] Fœdera, vol. ii. p. 707. Fordun a Hearne, p. 969.

[3] Ha ce fol felon, tel folie fet! sil ne voult venir a nous, nous viendrons a lui.—Fordun a Hearne, p. 969.

[4] Rymer, vol. ii. p. 887. Trivet, p. 291. Peter Langtoft, vol. ii. p. 273.

[5] Walsingham, p. 67. This happened on St Martin's day.

[6] Fordun a Goodal, vol. ii. p. 165. Hemingford, vol. i. p. 95.

this movement. Mistaking this for flight, they precipitately abandoned their strong position on the hills, and rushed down with shouts upon the enemy. Meanwhile, before the lines could meet, the English earl had extricated himself from the valley, and formed into compact order. The Scots, ruined, as they had often been, by their temerity, perceived their fatal error when it was too late. Instead of an enemy in flight, they found an army under perfect discipline, advancing upon their broken and disordered columns; and having in vain endeavoured to regain their ranks, after a short resistance they were completely routed. Three hundred and fifty years after this, Cromwell, on the same ground, defeated the army of the Scottish Covenanters, which occupied the same admirable position, and with equal folly and precipitancy deserted it. Surrey's victory was complete, and for the time decided the fate of Scotland. Ten thousand men fell on the field or in the pursuit. Sir Patrick de Graham, one of the noblest and wisest of the Scottish barons, disdained to ask for quarter, and was slain in circumstances which extorted the praise of the enemy.[1] A great multitude, including the principal of the Scottish nobility, were taken prisoners; and next day, the King of England coming in person with the rest of his army before Dunbar, the castle surrendered at discretion. The Earls of Athole, Ross, and Menteith, with four barons, seventy knights, and many other brave men, submitted to the mercy of the conqueror.[2]

All the prisoners of rank were immediately sent in chains to England, where they were for the present committed to close confinement in different Welsh and English castles.[3] After some time, the king compelled them to attend him in his wars in France; but even this partial liberty was not allowed them till their sons were delivered into his hands as hostages.[4]

[1] Hemingford, vol. i. p. 96. Fordun a Hearne, p. 974.
[2] Scala Chronicle, p. 123.
[3] Peter Langtoft, Chron. p. 278.
[4] Rotuli Scotiæ, vol. i. sub Ed. I. 25, p. 44; where a great many of the names of the prisoners will be found.

Edward was not slow to follow up the advantages which this important success had given him. Returning from Lothian, he sat down before the castle of Roxburgh, which was surrendered to him by James, the Steward of Scotland, who not only swore fealty and abjured the French alliance,[5] but prevailed upon many others of the Scottish nobility to forsake a struggle which was deemed desperate, and to submit to England. It was at his instigation that Ingeram de Umfraville surrendered the castle of Dumbarton,[6] and gave up to Edward his daughters, Eva and Isobel, as hostages. Soon after, the strong fortress of Jedburgh was yielded to his mercy;[7] and his victorious army being reinforced by a body of fifteen thousand men from Wales, he was enabled to send home that part of his English force which had suffered most from fatigue in this expedition.

With these fresh levies he advanced to Edinburgh, made himself master of the castle after a siege of eight days;[8] passed rapidly to Stirling, which he found abandoned; and while there, the Earl of Ulster, with a new army of thirty thousand foot and four hundred horse, came to join the king, and complete the triumph of the English arms. The monarch continued his progress without opposition to Perth, where he halted to keep the feast of the nativity of John the Baptist, with circumstances of high feudal solemnity, regaling his friends, creating new knights, and solacing himself and his barons. In the midst of these rejoicings, messengers arrived from the unhappy Baliol announcing his submission, and imploring peace.[9] Edward disdained to treat with him in person, but informed him that he intended, within fifteen days, to advance to Brechin, and that on Baliol's repairing to the castle there, the Bishop of Durham would announce the decision of

[5] Prynne's Edward I., p. 649.
[6] Rotuli Scotiæ, 22 Ed. I., memb. 8 dorso.
[7] Rymer, Fœd. vol. ii. pp. 714, 716.
[8] Hemingford, vol. i. p. 98.
[9] Ibid.

his lord superior. This was none other than that of an absolute resignation of himself and his kingdom to the mercy of his conqueror; to which Baliol, now the mere shadow of a king, without a crown, an army, or a nobility, dejectedly submitted. In presence of the Bishop of Durham and the barons of England, he was first stript of his royal robes; after which they spoiled him of his crown and sceptre, and compelled him, standing as a criminal, with a white rod in his hand, to perform a humiliating feudal penance.[1] He confessed that, misled by evil counsel and his own weakness, he had grievously offended his liege lord; he recapitulated his various transgressions, his league with France, and his hostilities against England; he acknowledged the justice of the invasion of his kingdom by Edward, in vindication of his violated rights; and three days after this, in the castle of Brechin, he resigned his kingdom of Scotland, its people, and their homage, into the hands of his liege lord, Edward, of his own free will and consent.[2] After this humiliating ceremony, Baliol delivered his eldest son, Edward, to the King of England, as a hostage for his future fidelity; and this youth, along with his discrowned father, were soon after sent by sea to London, where they remained for three years in confinement in the Tower.[3]

Thus ended the miserable and inglorious reign of John Baliol, a prince whose good dispositions might have insured him a happier fate, had he been opposed to a less terrible and ambitious enemy than Edward the First; or had the courage and spirit, in which he was not deficient, been seconded by the efforts of a united nobility. But Edward, with a policy not dissimilar to that which we have adopted in our Eastern dominions, had succeeded in preventing all union amongst the most powerful Scottish barons, by arraying their private and selfish ambition against the love of their country; by sowing dissension in their councils, richly rewarding their treachery, and treating with unmitigated severity those who dared to love and defend the liberty of Scotland; and Baliol's character was not of that high stamp which could unite such base and discordant materials, or baffle a policy so deep and a power so overwhelming.

[1] Fordun a Goodal, vol. ii. p. 167. Winton, vol. ii. p. 88.

[2] Prynne's Edward I., pp. 650, 651. See Notes and Illustrations, letter F.

[3] Langtoft, Chron. vol. ii. p. 280. Speaking of Baliol—

First he was king, now is he soudioure,
And is at other spendyng bonden in the Toure.

INTERREGNUM.

The spirit of the Scottish people was for the time completely broken; and Edward, as he continued his expedition from Perth to Aberdeen, and from thence to Elgin in Moray, did not experience a single check in his progress; while most of the Scottish barons who had escaped death or imprisonment crowded in to renounce the French alliance, and renew their oaths of fealty. On his return from the north to hold his parliament at Berwick, in passing the ancient Abbey of Scone, he took with him the famous and fatal stone upon which, for many ages, the Scottish kings had been crowned and anointed. This, considered by the Scots as their national palladium, along with the Scottish sceptre and crown, the English monarch placed in the cathedral of Westminster, as an offering to Edward the Confessor, and a memorial of what he deemed his absolute conquest of Scotland;[4] a conquest, however, which, before a single year had elapsed, was entirely wrested from his hands.

Edward was desirous of annihilating everything which could preserve the patriotic feeling of the country which he had overrun. With this object, when at Scone, he mutilated the ancient chartulary of that abbey, the historical notices in which were per-

[4] Fordun a Goodal, book xi. chap. xxv. vol. ii. p. 166. Hemingford, vol. i. pp. 87, 100.

haps fatal to his pretended claim of superiority, carrying off some of its charters, and tearing the seals.[1] Our historians affirm, that in his progress he industriously sought out and destroyed every monument connected with the antiquity and independence of the nation. The character of Edward, and his conduct at Scone, give great probability to the assertion.[2]

On the 28th of August, the king held his parliament at Berwick, for the purpose of receiving the fealty of the clergy and laity of Scotland. Multitudes of Scotsmen of all ranks resorted to him—earls, barons, knights, and esquires. The terror of his arms; the well-known severity of his temper, which made imprisonment and the immediate confiscation of their estates the consequence of their refusal; the example of their nobility, who now felt, too late for remedy, the sad effect of their dissensions, all combined to render this submission to Edward a measure as unanimous as it was humiliating; and the oaths of homage, the renunciation of the French alliance, and the names of the vassals, which fill thirty-five skins of parchment, are still preserved amongst the English archives.[3]

After the battle of Dunbar, Bruce, earl of Carrick, who was then in the service of England, reminded Edward of his promise to place him on the throne. "Have I nothing to do," said the haughty monarch, "but to conquer kingdoms for you?" Judging it probably a more befitting occupation, the King of England empowered the Earl of Carrick, and his son the younger Bruce, to receive to his peace the inhabitants of their own lands of Carrick and Annandale.[4] How little did he then think, that the youthful baron, employed under his royal commission in this degrading office, was destined to wrest from him his conquest, and to become the restorer of the freedom of his country!

Edward next directed his attention to the settlement of his new dominions; and the measures which he adopted for this purpose were equally politic and just. He commanded the sheriffs of the several counties in Scotland to restore to the clergy their forfeited lands; and he granted to the Scottish bishops for ever the privilege of bequeathing their effects by will, as fully as the right was enjoyed by the prelates of England. The widows of those barons whose husbands had died before the French alliance, and who had not since then been married to the king's enemies, were faithfully restored to their estates; but, effectually to secure their allegiance, the English Guardian of Scotland was permitted, at his option, to take possession of the castles and strengths upon their lands. He even assigned pensions to the wives of many of his Scottish prisoners; and few of those who held office under the unfortunate Baliol were dispossessed. The jurisdictions of Scotland were suffered to remain with those who possessed them, under ancient and hereditary titles; no wanton or unnecessary act of rigour was committed, no capricious changes introduced, yet all means were adopted to give security to his conquest. John Warrene, earl of Surrey, was made Guardian of Scotland; Hugh de Cressingham, Treasurer; and William Ormesby, Justiciary. Henry de Percy, nephew of Warrene, was appointed keeper of the county of Galloway, and the sheriffdom of Ayr; the castles of Roxburgh, Berwick, Jedburgh, and Edinburgh, were committed to English captains; a new seal, in place of the ancient Great Seal of Scotland, surrendered by Baliol and broken into pieces at Brechin, was placed in the hands of Walter de Agmondesham, an English chancellor; and an Exchequer for receiving the king's rents and taxes was instituted at Berwick, on the model of that at Westminster.[5]

[1] Chart. Scon. f. 26, quoted by Hailes, vol. i. p. 243.

[2] Innes's Critical Essay on the Ancient Inhabitants of Scotland, pp. 554, 555. See Notes and Illustrations, letter G.

[3] Ragman Rolls, printed by Bannatyne Club, 1834.

[4] Rymer, Fœdera, vol. ii. p. 714.

[5] Madox, Hist. of Exchequer, p. 550. Rotuli Scotiæ, vol. i. pp. 29, 35.

PERIOD OF WALLACE.

Edward had scarcely made this settlement of Scotland, and set out for his own dominions, when he found that, instead of the acclamations due to a conqueror, he was to be received at home with the lowering countenances of discontent and rebellion. He had incurred a heavy expense in his Scottish expedition, and he was now anxious to carry on with vigour his war with France; but the clergy of England, headed by a proud and firm prelate, Winchelsea, archbishop of Canterbury, demurred as to the supplies which he demanded; and a powerful party of the barons, led by the Constable and the Marshal of England, refusing to pass over into France, indignantly retired from parliament, with a great body of their armed retainers.

These discontents in England encouraged the people of Scotland to rise against their English oppressors. Although deserted by their nobility, a spirit of determined hatred against England was strongly manifested by the great body of the nation. Throughout the whole country, numerous bands of armed peasants infested the highways, and in contempt of government plundered the English, and laid waste their lands. Their numbers increased, and their successes soon became alarming. They besieged the castles garrisoned by the English, took prisoners, committed all kinds of rapine and homicide; and the impression made upon the mind of Edward may be judged of by a letter still remaining, addressed to his treasurer Cressingham, commanding him not to scruple to spend the whole money in his exchequer to put down these violent disorders.[1]

The patriotic principle which seems at this time to have entirely deserted the highest ranks of the Scottish nobles, whose selfish dissensions had brought ruin and bondage upon their country, still burned pure in the breasts of these broken men and rebels, as they are termed by Edward. The lesser barons, being less contaminated by the money and intrigues of England, preserved also the healthy and honest feelings of national independence; and it happened that at this time, and out of this middle class of the lesser barons, arose an extraordinary individual, who, at first driven into the field by a desire to avenge his individual injuries, within a short period of time, in the reconquest of his native country, developed a character which may, without exaggeration, be termed heroic. This was William Wallace, or Walays, the second son of Sir Malcolm Wallace of Ellerslie, near Paisley, a knight, whose family was ancient, but neither rich nor noble.[2] In those days bodily strength and knightly prowess were of the highest consequence in commanding respect and insuring success. Wallace had an iron frame. His make, as he grew up to manhood, approached almost to the gigantic; and his personal strength was superior to the common run of even the strongest men. His passions were hasty and violent; a strong hatred to the English, who now insolently lorded it over Scotland, began to shew itself at a very early period of his life; and this aversion was fostered in the youth by an uncle, a priest, who, deploring the calamities of his country, was never weary of extolling the sweets of liberty, and lamenting the miseries of dependence.[3]

The state of national feeling in Scotland, at this time, has been already described; and it is evident that the repressing of a rising spirit of resistance, which began so strongly to shew itself, required a judicious union of firmness, gentleness, and moderation. Upon the part of the English all this was wanting. Warrene, the governor, had, on account of ill health, retired to the north of England. Cressingham, the treasurer, was a proud, ignorant ecclesiastic. Edward, before he departed, had left orders that all who

[1] Rotuli Scotiæ, 25 Ed. I., vol. i. p. 42.

[2] Winton's Chron. vol. ii. p. 91, book viii. chap. xiii. Fordun a Goodal, vol. ii. p. 169.

[3] Fordun a Goodal, book xii. chap. iii. vol. ii. p. 223.

had not yet taken the oath of fealty, including not only the lesser barons, but the burghers and inferior gentry, should be compelled to do so under severe penalties, exacted by military force; and Ormesby, the justiciary, had excited deep and general odium, by the intolerable rigour with which these penalties were extorted.

The intrepid temper of Wallace appears first to have shewn itself in a quarrel, in the town of Lanark, with some of the English officers who insulted him. This led to bloodshed; and he would have been overpowered and slain in the streets had it not been for the interference of his mistress, to whose house he fled, and by whose assistance he escaped to the neighbouring woods. In a spirit of cruel and unmanly revenge, Hislop, the English sheriff, attacked the house, and put her to death; for which he was himself assaulted and slain by Wallace.[1] The consequence of this was to him the same as to many others, who at this time preferred a life of dangerous freedom to the indulgence and security of submission.[2] He was proclaimed a traitor, banished his home, and driven to seek his safety in the wilds and fastnesses of his country. It was here that he collected by degrees a little band, composed at first of a few brave men of desperate fortunes, who had forsworn their vassalage to their lords, and refused submission to Edward, and who at first carried on that predatory warfare against the English, to which they were impelled as well by the desire of plunder, and the necessity of subsistence, as by the love of liberty. These men chose Wallace for their chief. Superior rank —for as yet none of the nobility or barons had joined them—his uncommon courage and personal strength, and his unconquerable thirst of vengeance against the English, naturally influenced their choice, and the result proved how well it had fallen. His plans were laid with so much judgment, that in his first attacks against straggling parties of the English he was generally successful; and if surprised by unexpected numbers, his superior strength and bravery, and the ardour with which he inspired his followers, enabled them to overpower every effort which was made against them.

To him these early and desultory excursions against the enemy were highly useful, as he became acquainted with the strongest passes of his country, and acquired habits of command over men of fierce and turbulent spirits. To them the advantage was reciprocal, for they began gradually to feel an undoubting confidence in their leader; they were accustomed to rapid marches, to endure fatigue and privation, to be on their guard against surprise, to feel the effects of discipline and obedience, and by the successes which these insured, to regard with contempt the nation by whom they had allowed themselves to be overcome.

The consequences of these partial advantages over the enemy were soon seen. At first few had dared to unite themselves to so desperate a band. But confidence came with success, and numbers flocked to the standard of revolt. The continued oppressions of the English, the desire of revenge, and even the romantic and perilous nature of the undertaking, recruited the ranks of Wallace, and he was soon at the head of a great body of Scottish exiles.[3]

When it was known that this brave man had raised open banner against the English, Sir William Douglas,[4] who had been taken by Edward at the siege of Berwick, and restored to his liberty, upon swearing fealty, disregarding his oath, joined the Scottish force with his numerous vassals. Ormesby, the English justiciary, was at this time holding his court at Scone; and Surrey, the guardian, had gone to attend the English parliament. Wallace, by a rapid march,

[1] Winton, vol. ii. p. 95, book viii. chap. xiii. Fordun a Hearne, p. 978.

[2] Triveti Annales, p. 299.

[3] Hemingford, vol. i. p. 118. Triveti Annales, p. 299.

[4] This William Douglas was, according to Hume of Godscroft, the seventh Lord Douglas. He was called William the Hardy, or Longleg. Hume's Hist. of House of Douglas and Angus vol. i. p. 32.

surprised the justiciary, dispersed his followers, and, whilst he himself escaped with the greatest difficulty, took a rich booty and many prisoners.[1] This exploit giving new confidence to their little army, they more openly and boldly ravaged the country, and put all Englishmen to the sword. As circumstances allowed, they either acted together, or engaged in separate expeditions. Whilst Wallace marched into Lennox, the castles of Disdeir and Sanquhar were taken by Douglas; and when their united strength afterwards broke in upon the west of Scotland, they were joined by some of the most powerful of the Scottish nobility. The Steward of Scotland, and his brother, Sir Andrew Moray of Bothwell, Alexander de Lindesay, and Sir Richard Lundin, with a spirited prelate, Wishart, bishop of Glasgow, were amongst the number.[2]

Their united forces, led by the military skill and animated by the personal intrepidity of Wallace, continued to be successful in repeated attacks upon the English; and these successes were frequently followed, as was to be expected, by many circumstances of cruelty and violence. Their revenge seems especially to have been directed against the English ecclesiastics who were possessed of Scottish livings. A public edict, passed by the Scottish Estates in 1296, had banished these intruders from Scotland; and this edict Wallace, it is said, improved upon with a refinement in cruelty. Some aged priests, and it is even asserted, although almost too horrid to believe, some helpless women, had their hands tied behind their backs, and in this helpless state were thrown from high bridges into rivers, their dying agonies affording sport to their merciless captors.[3]

The conduct of the younger Bruce, afterwards the heroic Robert the First, was at this period vacillating and inconsistent. His large possessions in Carrick and Annandale made him master of an immense tract of country, extending from the Firth of Clyde to the Solway; and the number of armed vassals which his summons could call into the field would have formed an invaluable accession to the insurgents. His power caused him to be narrowly watched by England; and as his inconstant character became suspected by the Wardens of the Western Marches, they summoned him to treat on the affairs of his master the king at Carlisle. Bruce, not daring to disobey, resorted thither with a numerous attendance of his friends, and was compelled to make oath on the consecrated host, and the sword of Thomas à Becket, that he would continue faithful to the cause of Edward. To give a proof of his fidelity, he ravaged the estates of Sir William Douglas, then with Wallace, seized his wife and children, and carried them into Annandale. Having thus defeated suspicion, and saved his lands, he privately assembled his father's retainers; talked lightly of an extorted oath, from which the Pope would absolve him; and urged them to follow him, and join the brave men who had taken arms against the English. This, however, they refused, probably because their master and overlord, the elder Bruce, was then with Edward. Robert, however, nothing moved by the disappointment, collected his own tenants, marched to join Wallace, and openly took arms against the English.[4]

The news of this rebellion reached the King of England as he was preparing to sail for Flanders. He at first disregarded it; and as many of the most powerful of the Scottish nobles were then either prisoners in England, or in attendance upon himself, and ready to embark for the Continent, he was easily persuaded that it would be instantly put down by the authority of the governor. Anthony Beck, however, the martial bishop of Durham, was despatched in great haste into Scotland; and Edward finding, from his account, that the revolt was of a serious nature, commanded the

[1] Triveti Annales, p. 299.
[2] Hailes, vol. i. p. 246.
[3] Hen. Knighton, p. 2514, apud Twysden, vol. i. Raynaldi, Cont. Baronii, vol. iv. p. 66.
[4] Hemingford, vol. i. p. 120. Knighton, p. 2514.

Earl of Surrey to call forth the military force on the north of the Trent, and, without delay, to reduce the insurgents.[1]

This, however, was no easy matter. Surrey sent his nephew, Henry Percy, before him into Scotland, at the head of an army of forty thousand foot, and three hundred armed horse. Percy marched through Annandale to Lochmaben, where, during the night, his encampment was suddenly attacked by the Scots with great fury. It was very dark, and Percy's men knew not where to rally. In this emergency they set fire to the wooden houses where they lay, and, guided to their banners by the blaze, repulsed the enemy, and marched towards Ayr,[2] for the purpose of receiving the men of Galloway to the peace of the king. It was here told them that the Scottish army was not four miles distant; and Percy, having struck his tents, advanced at the first break of the morning to Irvine, and soon discovered their squadrons drawn up nearly opposite to him, on the border of a small lake. This force, which equalled the English in foot, although inferior in horse, was sufficient, under able conduct, to have given battle to Percy, but it was enfeebled by dissension amongst its leaders; and although Wallace was there to direct them, the pride of these feudal barons would not submit to be commanded by him. Accordingly, most of these chiefs became anxious to negotiate terms for themselves, and to save their lands. Sir Richard Lundin, a Scottish knight, who had till now refused allegiance to Edward, went over with his followers to the army of Percy, declaring it to be folly to remain longer with a party at variance with itself. At the same time, Bruce, the Steward of Scotland, and his brother Alexander de Lindesay, Sir William Douglas, and the Bishop of Glasgow, made submission to Edward, and entreated his forgiveness for the robberies and slaughters which they had committed. An instrument, commemorating this desertion of their country, to which their seals were appended, was drawn up in Norman-French;[3] but this brave man treated all proposals of submission with high disdain. Although the greater nobles had deserted the cause, he knew that many of their vassals were enthusiastically attached to his person and fortunes.[4] He could muster also a large body of his own tried and veteran followers; and putting himself at the head of these, he retired indignantly to the north. Sir Andrew Moray of Bothwell was the only baron who accompanied him.

The conduct of the Scottish nobility, who had capitulated to Percy, was irresolute and contradictory. Edward had accepted their offers of submission; but although they would not act in concert with Wallace, whose successes had now effectually raised the spirit of the nation, they drew back from their agreement with Percy, and delayed the delivery of their hostages, until security should be given them for the preservation of the rights and liberties of their country. Sir William Douglas and the Bishop of Glasgow, however, considered that they were bound to abide by the capitulation signed at Irvine; and finding themselves unable to perform their articles of agreement, they voluntarily surrendered to the English.[5] It was the fate of this last-mentioned prelate to be trusted by neither party. Wallace, whose passions were fiery and impetuous, loudly accused him of treachery, attacked his castle, ravaged his lands, and led his servants and family captive; whilst the King of England declared that, under this surrender of himself at the castle of Roxburgh, a purpose was concealed of betraying that important fortress to the Scots.[6] Notwithstanding the capitulation of

1 Hemingford, p. 122. Tyrrel, Hist. Eng. p. 112, vol. iii.

2 Hen. Knighton, p. 2515.

3 Rymer, Fœdera, dated 9th July 1297, vol. ii. p. 774. Rymer has read the concluding sentence of this deed erroneously, as has been shewn by Sir F. Palgrave. The words which he prints as "Escrit a Sire Willaume," are "Escrit a Irwine."

4 Hemingford, vol. i. p. 125.

5 Ibid. p. 124. Tyrrel, Hist. Eng. vol. iii. p. 112.

6 Hailes' Annals, vol. i. p. 250.

Irvine, the spirit of resistance became soon very general throughout the northern counties. In Aberdeenshire, especially, the revolt was serious; and Edward directed his writs to the bishop and sheriffs of the county, commanding them to punish the rebels for the murders and robberies which they had been committing, and to be on their guard against an intended attack upon the castle of Urquhart, then held by William de Warrene.[1]

What were the particular successes of Wallace and his brethren in arms, during the summer months which elapsed between the treaty at Irvine and the battle of Stirling, we have no authentic memorials to determine.[2] That they had the effect of recruiting his army, and giving him the confidence of the body of the people of Scotland, is certain; for Knighton, an old English historian, informs us, "that the whole followers of the nobility had attached themselves to him; and that although the persons of their lords were with the King of England, their heart was with Wallace, who found his army reinforced by so immense a multitude of the Scots, that the community of the land obeyed him as their leader and their prince."[3] Edward, in the meantime, dissatisfied with the dilatory conduct of Surrey, in not sooner putting down a revolt, which the king's energetic and confident spirit caused him to treat too lightly, superseded him, and appointed Brian Fitz-Alan governor of Scotland. At the same time he liberated from their imprisonment, in various castles through England, the Scottish nobles and barons taken at the battle of Dunbar, and carried them along with him to Flanders. Their forfeited lands were restored; but to secure their fidelity, the king compelled their eldest sons to remain in England as hostages.[4] Others of the Scottish nobles, whose fidelity was less suspected, were permitted to return home, under a promise of assisting in the reduction and pacification of the country; and as many of the most powerful and warlike English barons as he could spare from his expedition to Flanders were directed to repair to Scotland, with all the horse and foot which they could muster, and to co-operate with Fitz-Alan and Surrey.[5] Having taken these precautions, King Edward passed over to Flanders on the 22d of August.[6]

It was fortunate for the Scots, that Warrene, the earl of Surrey, evinced great remissness in insisting on the fulfilment of the treaty of Irvine. He was on bad terms with Cressingham the treasurer, a proud and violent Churchman, who preferred the cuirass to the cassock;[7] and it is probable that his being superseded in his government of Scotland, and yet commanded to remain with the army, was an indignity which so high a baron could ill brook.[8] The consequences of this inactivity were soon apparent. The Scottish barons still delayed the delivery of their hostages, and cautiously awaited the event of the war; whilst Wallace, at the head of a powerful army, having succeeded in expelling the English from the castles of Forfar, Brechin, Montrose, and nearly all their strongholds on the north of the Forth, had just begun the siege of the castle of Dundee, when he received intelligence that the English army, under the command of the Earl of Surrey, and Cressingham the treasurer, was on its march to Stirling. Well acquainted with the country there, his military skill taught him of what importance it would be to secure the high ground on the river Forth, above Cambuskenneth, before Surrey had passed the bridge at Stirling; and having commanded the citizens of Dundee, on pain of death, to continue the siege of the castle, he marched with great expedition, and found, to his satisfaction, that he had anticipated the English, so as to give him time to choose the most favourable

1 Rotuli Scotiæ, vol. i. pp. 41, 42.
2 From 9th July to 3d September.
3 Knighton, apud Twysden, p. 2516.
4 Rotuli Scotiæ, pp. 44, 45. Trivet, p. 301.
5 Rot. Scot. pp. 47, 48. Surrey, although superseded in the command, remained with the army.
6 Tyrrel, vol. iii. p. 120.
7 Hemingford, p. 130.
8 Rymer, vol. ii. p. 794.

position for his army, before the columns of Cressingham and Surrey had reached the other side of the river.

The nature of the ground concealed the Scottish army, which amounted to forty thousand foot, and one hundred and eighty horse. Wallace's intention was to induce the main body of the English to pass the bridge, and to attack them before they had time to form. Surrey was superior in numbers. He commanded a force of fifty thousand foot soldiers, and one thousand armed horse. Lord Henry Percy had marched from Carlisle towards Stirling, with a reinforcement of eight thousand foot and three hundred horse; but Cressingham the treasurer, dreading the expense of supporting so great a force, had, with an ill-judged economy, given orders for disbanding these succours, as he considered the army in the field to be sufficient for the emergency.[1]

The Steward of Scotland, the Earl of Lennox, and others of the Scottish barons, were at this time with the English army; and on coming to Stirling, requested Surrey to delay an attack till they had attempted to bring Wallace to terms. They soon returned, and declared that they had failed in their hopes of pacification, but that they themselves would join the English force with sixty armed horse. It was now evening, and the Scottish barons, in leaving the army, met a troop of English soldiers returning from forage. Whether from accident or design, a skirmish took place between these two bodies, and the Earl of Lennox stabbed an English soldier in the throat. This, of course, raised a tumult in the camp; a cry arose that they were betrayed by the Scots; and there seems to be little doubt that Lennox and his friends were secretly negotiating with Wallace, and only waited for a favourable opportunity of joining him. Crying out for vengeance, the English soldiers carried their wounded comrade before their general, and reproached him with having trusted those who had broken their faith, and would betray them to the enemy. "Stay this one night," said he, "and if to-morrow they do not keep their promise, you shall have ample revenge." He then commanded his soldiers to be ready to pass the bridge next day; and thus, with a carelessness little worthy of an experienced commander, who had the fate of a great army dependent on his activity and foresight, he permitted Wallace to tamper with his countrymen in the English service; to become acquainted with the numbers and array of the English force; and to adopt, at his leisure, his own measures for their discomfiture.

Early next day, five thousand foot and a large body of the Welsh passed the bridge by sunrise, and soon after repassed it, on finding that they were not followed by the rest of the army, and that the Earl of Surrey was still asleep in the camp. After an hour the earl awoke, the army was drawn up, and as was then usual before any great battle, many new knights were created, some of whom were fated to die in their first field. It was now the time when the Scottish barons ought to have joined with their sixty horse; and Surrey, having looked for them in vain, commanded the infantry to cross the bridge. This order was scarcely given when it was again recalled, as the Steward of Scotland and the Earl of Lennox were seen approaching, and it was hoped brought offers of pacification. But the contrary was the case. They had failed, they said, in all their efforts to prevail on the Scottish army to listen to any proposals, and had not been able to persuade a single soldier to desert. As a last resource, Surrey, who seems to have been aware of the strong position occupied by the Scots, and of the danger of crossing the river, despatched two friars to propose terms to Wallace, who made this memorable reply:—"Return to your friends, and tell them that we came here with no peaceful intent, but ready for battle, and determined to avenge our own wrongs and set our country free. Let your masters come and attack us; we are ready to meet them beard to beard."[2] Incensed at this cool defiance, the English presumptuously and eagerly

[1] Hemingford, p. 127.

[2] Hemingford, vol. i. p. 126.

demanded to be led on; upon which Sir Richard Lundin, a Scottish knight, who had gone over to the enemy at Irvine, anxiously implored them to be still. "If," said he, "you once attempt to pass the bridge, you are desperately throwing away your lives. The men can only cross two by two. Our enemies command our flank, and in an instant will be upon us. I know a ford not far from hence where you may pass by sixty at a time. Give me but five hundred horse, and a small body of foot, I shall turn the enemy's flank, whilst you, lord earl, and the rest of the army, may pass over in security." This was the sound advice of a veteran soldier who knew the country; but although it convinced some, it only irritated others, and among these last, Hugh Cressingham the treasurer. "Why, my lord," cried he to Surrey, who was prudently hesitating, "why do we protract the war, and spend the king's money? Let us pass on as becomes us, and do our duty."[1]

Stung with this reproach, Surrey weakly submitted his better judgment to the rashness of this Churchman, and commanded the army to defile over the bridge. Sir Marmaduke Twenge, a knight of great experience and courage, along with Cressingham himself, led the van; and when nearly the half of the army had passed the bridge, perceiving that the Scots kept their strong ground on the heights, Twenge, with chivalrous impetuosity, gave orders for a charge, and made the heavy-armed cavalry spur their horses up the hill. The consequence of this precipitate movement was fatal to the English. A part of the Scottish army had by this time made a circuit and possessed themselves of the foot of the bridge;[2] and Wallace, the moment that he saw the communication between the van and the rear of the English force thus cut off, and all retreat impossible, rushed rapidly down from the high ground, and attacking Twenge and Cressingham, before they had time to form, threw them into inextricable disorder. In an instant all was tumult and confusion. Many were slain, multitudes of the heavy-armed horse plunged into the river, and were drowned in making a vain effort to rejoin Surrey, who kept on the other side, a spectator of the discomfiture of the flower of his army. In the meantime, the standard-bearers of the king and of the earl, with another part of the army, passed over, and shared the fate of their companions, being instantly cut to pieces. A spirited scene now took place. Sir Marmaduke Twenge, on looking round, perceived that the Scots had seized the bridge, and that he and his soldiers were cut off from the rest of the army. A knight advised, in this perilous crisis, that they should throw themselves into the river, and swim their horses to the opposite bank. "What," cried Twenge, "volunteer to drown myself, when I can cut my way through the midst of them, back to the bridge! Never let such foul slander fall on us!" So saying, he put spurs to his horse, and driving him into the midst of the enemy, hewed a passage for himself through the thickest of the Scottish columns, and rejoined his friends, with his nephew and his armour-bearer, in perfect safety.

Meanwhile the Scots committed a dreadful slaughter. It is the remark of the historian Hemingford, who describes this victory of Stirling from the information of eye-witnesses, that in all Scotland there could not be found a place better fitted for the defeat of a powerful army by a handful of men, than the ground which Wallace had chosen.[3] Multitudes perished in the river; and as the confusion and slaughter increased, and the entire defeat of the English became inevitable, the Earl of Lennox and the Steward

[1] "Mirum dictu," exclaims Hemingford, in an animated reflection on the madness of Surrey's conduct, "sed terribile, quid in eventu, quod tot et tanti discreti viri dum scirent hostes impromptu, strictum pontem ascenderint, quod bini equestres, vix et cum difficultate simul transire potuerunt."—Hem., vol. i. p. 128.

[2] Hemingford, 128. — "Descenderunt de monte, et missis viris lanceariis occupaverunt pedem pontis, ita quod extunc nulli patebat transitus vel regressus." See also Walsingham, p. 73.

[3] Hemingford, vol. i. p. 128.

of Scotland, who, although allies of the King of England, were secretly in treaty with Wallace, threw off the mask, and led a body of their followers to destroy and plunder the flying English. Surrey, on being joined by Sir Marmaduke Twenge, remained no longer on the field; but having hastily ordered him to occupy the castle of Stirling, which he promised to relieve in ten days, he rode, without drawing bridle, to Berwick: a clear proof of the total defeat of the powerful army which he had led into Scotland. From Berwick he proceeded to join the Prince of Wales in the south, and left the country which had been intrusted to him exposed to ravage and desolation. Although the English historians restrict the loss of soldiers in this fatal and important battle to five thousand foot, and a hundred heavy-armed horse,[1] it is probable that nearly one half of the English army was cut to pieces, and Cressingham the treasurer was amongst the first who fell. Hemingford allows that the plunder which fell into the hands of the Scots was very great, and that waggons were filled with the spoils. Smarting under the cruelty and rapacity with which they had been treated by the English, the Scots were not slow now to take their revenge, nor was Wallace of a temper to restrain his soldiers. Few prisoners seem to have fallen into their hands, and the slaughter was general and indiscriminate. So deep was the detestation in which the character of Cressingham was regarded, that his dead body was mangled, the skin torn from the limbs, and in savage triumph cut into pieces.[2]

[1] So say Hemingford and Knighton. But Trivet, p. 307, and Walsingham, p. 73, assert, that before the half of the English army had passed, the Scots attacked and put almost all of them to the sword. Now the English army consisted of fifty thousand foot and one thousand horse. Hemingford, p. 127. See Notes and Illustrations, letter H.

[2] Triveti Ann. p. 307. Hemingford, p. 130. The Chron. Lanercost, p. 190, says that Wallace ordered as much of his skin to be taken off as would make a sword belt. This is the origin of the stories of Abercromby, vol. i. p. 531, that the Scots made *girths* of his skin, and of others that they made saddles of it. Hailes, vol. i. p. 252.

The decisive nature of the defeat is, perhaps, most apparent from the important consequences which attended it. To use the words of Knighton, "this awful beginning of hostilities roused the spirit of Scotland, and sunk the hearts of the English."[3] Dundee immediately surrendered to Wallace, and rewarded his army by a rich booty of arms and money. In a short time not a fortress or castle in Scotland remained in the hands of Edward. The castles of Edinburgh and Roxburgh were dismantled; and Berwick, upon the advance of the Scottish army, having been hastily abandoned, Wallace sent Henry de Haliburton, a Scottish knight, to occupy this important frontier town.[4] Thus, by the efforts of a single man, not only unassisted, but actually thwarted and opposed by the nobility of the country, was the iron power of Edward completely broken, and Scotland once more able to lift her head among free nations.

A dreadful dearth and famine, no unfrequent accompaniment of the ravages of war, now fell severely upon the country; and Wallace, profiting by the panic inspired by his victory at Stirling, resolved upon an immediate expedition into England.[5] To enable his own people to lay in, against the time of scarcity, the provisions which would otherwise be consumed by his numerous army, and to support his soldiers during the winter months in an enemy's country, were wise objects. Previous, however, to his marching into England, he commanded that from every county, barony, town, and village, a certain proportion of the fighting men, between sixteen and sixty, should be levied. These levies, however, even after so decisive a victory as that of Stirling, were tardily made. The vassals of Scotland, tied up by the rigid fetters of the feudal law, could not join Wallace without the authority of their overlords; and as most of the Scottish nobility had left hostages for their fidelity in the hands of Edward, and many of them

[3] Hen. Knighton, p. 2519.

[4] Scala Chronicon, a Stevenson, p. 124.

[5] Fordun a Goodal, vol. ii. p. 172.

possessed great estates in England, which, upon joining Wallace, would have immediately been forfeited, they did not yet dare to take the field against the English. A jealousy, too, of the high military renown and great popularity of Wallace prevented all cordial co-operation; and the contempt with which this deliverer of his country must have regarded the nobility, who yet sheltered themselves under the protection of Edward, was not calculated to allay this feeling. The battle of Stirling was fought on the 11th of September; and on the 25th of that month the English government, alarmed at the success of Wallace, sent letters to the principal Scottish nobility, praising them for their fidelity to the king; informing them that they were aware the Earl of Surrey was on his way to England, (a delicate way of noticing the flight of Warrene from Stirling;) and directing them to join Brian Fitz-Alan, the governor of Scotland, with all their horse and foot, in order to put down the rebellion of the Scots. The only nobles with whom the English government did not communicate were the Earls of Caithness, Ross, Mar, Athole, Fife, and Carrick. Fife, however, was a minor; the others, we may presume, had by this time joined the party of Wallace.[1]

The great majority of the nobles being still against him, this intrepid leader found it difficult to procure new levies, and was constrained to adopt severe measures against all who were refractory. Gibbets were erected in each barony and county town; and some burgesses of Aberdeen, who had disobeyed the summons, were hanged.[2] After this example he soon found himself at the head of a numerous army; and having taken with him, as his partner in command, Sir Andrew Moray of Bothwell, then a young soldier of great promise, and afterwards regent of the kingdom, he marched towards the north of England, and threatened Northumberland.[3] Such was the terror inspired by the approach of the Scots, that the whole population of this county, with their wives and children, their cattle and household goods, deserted their dwellings, and took refuge in Newcastle. The Scots, to whom plunder was a principal object, delayed their advance; and the Northumbrians, imagining the danger to be over, returned home; but Wallace, informed of this by his scouts, made a rapid march across the border, and dreadfully ravished the two counties of Cumberland and Northumberland, carrying off an immense booty, and having the head-quarters of his army in the forest of Rothebury. "At this time," says Hemingford, "the praise of God was unheard in any church and monastery through the whole country, from Newcastle-upon-Tyne to the gates of Carlisle; for the monks, canons regular, and other priests, who were ministers of the Lord, fled, with the whole people, from the face of the enemy; nor was there any to oppose them, except that now and then a few English, who belonged to the castle of Alnwick, and other strengths, ventured from their safeholds, and slew some stragglers. But these were slight successes; and the Scots roved over the country from the Feast of St Luke to St Martin's day,[4] inflicting upon it all the miseries of unrestrained rapine and bloodshed."[5]

After this, Wallace assembled his whole army, and proceeded in his destructive march to Carlisle. He did not deem it prudent, however, to attack this city, which was strongly garrisoned; and contented himself with laying waste Cumberland and Annandale, from Inglewood forest to Derwentwater and Cockermouth.[6]

[1] John Comyn of Badenoch; Patrick, earl of Dunbar; Umfraville, earl of Angus; Alexander, earl of Menteith; Malise, earl of Strathern; James, the Steward of Scotland; John Comyn, earl of Buchan; Malcolm, earl of Lennox; and William, earl of Sutherland; Nicholas de la Haye; Ingelram de Umfraville; Richard Fraser, and Alexander de Lindesay, were the nobles written to by the English government. Rotuli Scot. vol. i. p. 49.

[2] Fordun a Goodal, vol. ii. p. 172.

[3] Hemingford, vol. i. p. 131.

[4] From 18th Oct. to 11th Nov.

[5] Hemingford, vol. i. p. 132.

[6] Fordun a Hearne, p. 980.

It was next determined to invade the county of Durham, which would have been easily accomplished, as three thousand foot and a hundred armed horse were all that could be mustered for its defence. But the winter now set in with great severity. The frost was so intense, and the scarcity of provisions so grievous, that multitudes of the Scots perished by cold or famine, and Wallace commanded a retreat. On returning to Hexham, where there was a rich monastery, which had already been plundered and deserted on the advance, a striking scene occurred. Three monks were seen in the solitary monastery. Thinking that the tide of war had passed over, they had crept back, to repair the ravages they had left, when suddenly they saw the army returning, and fled in terror into a little chapel. In a moment the Scottish soldiers with their long lances were upon them, calling, on peril of their lives, to shew them the treasures of their monastery. "Alas!" said one of the monks, "it is but a short time since you yourselves have seized our whole property, and you know best where it now is." At this moment Wallace himself came into the chapel, and, commanding his soldiers to be silent, requested one of the canons to celebrate mass. The monk obeyed, and Wallace, all armed as he was, and surrounded by his soldiers, reverently attended. When it came to the elevation of the host, he stepped out of the chapel to cast off his helmet and lay aside his arms, but in this short absence the fury and avarice of his soldiers broke out. They pressed on the priest, snatched the chalice from the altar, tore away its ornaments and the sacred vestments, and even stole the missal in which the service had been begun. When their master returned, he found the priest in horror and dismay, and gave orders that the sacrilegious wretches who had committed the outrage should be sought for and put to death. Meanwhile he took the canons under his protection. "Remain with me," said he; "it is that alone which can secure you. My soldiers are evil disposed. I cannot justify, and I dare not punish them."[1] This sacrilegious attack was the more unpardonable, as the monastery of Hexham was dedicated to the patron saint of Scotland, and enjoyed a perpetual protection from King David. Wallace, to atone for the outrage, granted a charter of protection to the priory and convent, by which its lands, men, and movables, were admitted under the peace of the king, and all persons interdicted from doing them injury.[2] The Scots now advanced to Newcastle, but finding the garrison prepared to stand a siege, they contented themselves with ravaging the adjacent country; and having collected the booty, they allotted their part to the Galwegians who were with the army, and marched homewards.[3]

In revenge for this terrible visitation, Lord Robert Clifford collected the strength of Carlisle and Cumberland, and twice invaded Annandale with an army of twenty thousand foot and a hundred horse. On passing the Solway, it was proclaimed by sound of trumpet that every soldier should plunder for himself, and keep his own booty; on hearing which, the infantry with undisciplined rapacity dispersed, and the horse alone remained together. In consequence of this, nothing was effected worthy of so powerful an army. Three hundred and eight Scots were slain, ten villages or hamlets burnt, and a few prisoners taken. This happened at Christmas. In his second inroad, the town of Annan, and the church of Gysborne, were burnt and plundered.[4] Annandale belonged to Robert Bruce; and the destruction of his lands and villages determined him once more to desert

[1] Hemingford, vol. i. pp. 133, 134. Knighton, p. 2521.

[2] This famous instrument is granted in name of "Andrew de Moray, and William Wallace, leaders of the army of Scotland, in the name of the illustrious prince, John, by the grace of God, King of Scotland, and with consent of the Estates of the kingdom." It is dated at Hexham, on the 8th of November 1297. Hemingford, p. 135.

[3] "Dividentes inter se spolia quæsita, tradiderunt Galivalensibus partes suas, et abierunt in loca sua." Hemingford, p. 136.

[4] Knighton, p. 2522.

the English, and join the party of the patriots.

Soon after his return from his expedition into England, Wallace, in an assembly held at the Forest Kirk in Selkirkshire, which was attended by the Earl of Lennox, William Douglas, and others of the principal nobility, was elected Governor of Scotland, in name of King John, and with consent of the community of Scotland.[1] Strengthened by this high title, which he had so well deserved, and which the common people believed was ratified by the express approval of St Andrew, who presented to the hero a sacred sword, to be used in his battles against the English,[2] he proceeded to reward his friends and fellow-soldiers, to punish his enemies; and, despising the jealousy and desertion of a great majority of the nobility, to adopt and enforce those public measures which he considered necessary for securing the liberty of the country. He conferred the office of Constable of Dundee upon Alexander Skirmishur, or Scrimgeour, and his heirs, for his services in bearing the royal banner of Scotland.[3] By a strict severity, he restrained the licentiousness of his soldiers, and endeavoured to introduce discipline into his army.[4] In order to secure a certain proportion of new levies, at any time when the danger or exigency of the state required it, he divided the kingdom into military districts. In each shire, barony, lordship, town, and burgh, he appointed a muster-book to be made, of the number of fighting men which they contained, between the age of sixteen and sixty;[5] and from these he drew at pleasure, and in case of refusal under pain of life and limb, as many recruits as he thought requisite. In a short time, such were the effects of his firm and courageous dealing in the government, that the most powerful of the nobility were compelled, by the fears of imprisonment, to submit to his authority, although they envied him his high elevation, and whenever an opportunity presented itself, took part with the King of England.[6] But although few of the earls had joined him, the lesser barons and gentry repaired in great numbers to the banner of the governor, and willingly supported him with all their forces.

The general revolt of the Scots, and that rapid success with which it was attended, determined the English Regency to summon a parliament at London, on the 10th of October.[7] To this assembly came the Earl of Norfolk and the Earl of Hereford, the one Marshal and the other Constable of England, with so powerful a body of their retainers, that they overawed its proceedings; and aware of the trying emergency in which the rebellion of the Scots had placed the king, they declared that no aids or levies should be granted against the Scots, unless the Great Charter, and the Charter of the Forests, were ratified, along with an additional clause, which prohibited any aid or tillage from being exacted, without the consent of the prelates, nobles, knights, and other freemen. Edward was startled when informed of these demands. His affairs detained him in Flanders, where accounts had reached him of the whole of Scotland having been wrested from his hand by Wallace: he was still engaged in a war with France; and, thus surrounded by difficulties, it was absolutely necessary for him to make every sacrifice to remain on good terms with his barons.[8] He accordingly, after three

[1] Fordun a Goodal, vol. ii. p. 174. Crawford, Hist. of House of Douglas, p. 22, MS., quoted in Sir R. Sibbald's Commentary on the Relationes Arnaldi Blair.

[2] Fordun a Goodal, p. 170.

[3] This famous grant is dated at Torphichen, March 29, 1298; apud Anderson, Diplomata Scotiæ.

[4] He appointed an officer or sergeant over every four men, another of higher power over every nine, another of still higher authority over every nineteen men, and thus, in an ascending scale of disciplined authority, up to the officer, or chiliarch, who commanded a thousand men. Fordun a Goodal, vol. ii. p. 171.

[5] Fordun a Goodal, vol. ii. p. 170.

[6] "Et si quis de magnatibus gratis suis non obediret mandatis, hunc tenuit et coercuit, et custodiæ mancipavit, donec suis bene placitis penitus obtemperaret." Fordun a Goodal, vol. ii. p. 170.

[7] Hemingford, vol. i. p. 138.

[8] Tyrrel, Hist. Eng. vol. iii. p. 124. Hemingford, vol. i. p. 138. Triveti Annales, p. 309.

days' deliberation, consented to confirm all the charters which had been sent over to him; and having wisely secured the affections of his nobility, he directed letters to the earls and barons of England, commanding them, as they valued his honour, and that of the whole kingdom, to meet at York on the 14th January, and thence, under the orders of the Earl of Surrey, to proceed into Scotland, and put down the rebellion of that nation.[1] At the same time he sent letters to the great men of Scotland, requiring them on their fealty to attend the muster at York, and denouncing them as public enemies if they refused.

These seasonable favours granted to the nobility, and the good grace with which Edward bestowed them, although, in truth, they were extorted from him much against his inclination, rendered the king highly popular; so that at York, on the day appointed, there was a great muster of the military force of the kingdom. There came the Earl Marshal and the Great Constable of England, the Earl of Surrey, the king's lieutenant against the Scots, the Earls of Gloucester and Arundel, Lord Henry Percy, John de Wake, John de Segrave, Guido, son of the Earl of Warwick, and many other powerful earls and barons.[2] Having waited in vain for the Scottish nobles whom Edward had summoned to attend—an order which, as the result shewed, the dread of Wallace rather than the love of their country compelled them to disobey—the English nobles appointed a general muster of their forces to be held eight days after, at Newcastle-upon-Tyne, purposing from thence to march against the enemy. Here they accordingly met, and the army, both in numbers and equipment, was truly formidable. There were two thousand heavy cavalry, armed both horse and man at all points, along with two thousand light horse, and a hundred thousand foot, including the Welsh. With this force they marched across the border, and advanced to Roxburgh. This important fortress was then invested by Wallace; and the garrison, worn out by a long siege, were in a state of great distress, when the army of Surrey made its appearance, and the Scots thought it prudent to retire. After relieving "their wounded countrymen," the English skirmished as far as Kelso, and returned to occupy Berwick, which had been in the hands of the Scots since the battle of Stirling. They found it deserted, and brought a joyful relief to the castle, the garrison of which had stoutly held out, whilst the rest of the town was in possession of the enemy.[3]

Edward, in the meantime, having learnt in Flanders the strength of the army which awaited his orders, was restless and impatient till he had joined them in person. His anger against the Scots, and his determination to inflict a signal vengeance upon their perfidy on again daring to defend their liberties, had induced him to make every sacrifice, that he might proceed with an overwhelming force against this country. For this purpose, he hastened to conclude a truce with the King of France, and to refer their disputes to the judgment of Boniface the pope.[4] He wrote to the Earl of Surrey not to march into Scotland till he had joined the army in person; and having rapidly concluded his affairs in Flanders, he took shipping, and landed at Sandwich, where he was received with much rejoicing and acclamation.[5] Surrey, on receiving letters from the king to delay his expedition, had retained with him a small proportion of his troops, and dismissed the rest; but the moment Edward set his foot in England, he directed his writs, by which he summoned the whole military power of the kingdom to meet him at York, on the Feast of Pentecost, with horse and

[1] The confirmation of Magna Charta and the Charta de Foresta is dated at Ghent, Nov. 5, 1297. Rymer, new edit. vol. i. part ii. p. 880.

[2] Hemingford, vol. i. p. 144.

[3] Knighton, p. 2525. Triveti Annales, p. 311.

[4] Rymer's Fœdera, new edit. vol. i. part ii. p. 887.

[5] Ibid. p. 889.

arms, to proceed against the Scots.[1] He also commanded all the earls and barons, with two knights of every shire, and the representatives from the towns and burghs, to attend his parliament to be held in that city; and summoned the nobility of Scotland, unless they chose to be treated as vassals who had renounced their allegiance, to be there also on the day appointed.[2] To this summons they paid no regard. Those who had accompanied him in his expedition to Flanders, on his embarkation for England, forsook him, and resorted to the French king; and the rest of the Scottish barons, although jealous of Wallace, dreaded the vengeance which his power and high authority as governor entitled him to inflict on them. Meanwhile Edward, having commanded his army to rendezvous at Roxburgh on the 24th of June, with misplaced devotion, made a pilgrimage to the shrine of St John of Beverley. The sacred standard of this saint, held in deep reverence by the king and the army, had been carried with the host in the former war; and it is probable Edward would not lose the opportunity of taking it along with him in this expedition.

On coming to Roxburgh, he found himself at the head of an army more formidable in their number, and more splendid in their equipment, than even that which had been collected by the Earl of Surrey six months before. He had seven thousand horse, three thousand heavy-armed, both men and horse, and four thousand light cavalry. His infantry consisted at first of eighty thousand men, mostly Welsh and Irish; but these were soon strengthened by the arrival of a powerful reinforcement from Gascony, amongst whom were five hundred horse, splendidly armed, and admirably mounted. On reviewing his troops, Edward found that the Constable and Marshal, with the barons of their party, refused to advance a step until the confirmation of the Great Charter and the Charter of the Forests had been ratified by the king in person: so jealous were they of their new rights, and so suspicious lest he should plead that his former consent, given when in foreign parts, did not bind him within his own dominions.[3] Edward dissembled his resentment, and evaded their demand, by bringing forward the Bishop of Durham, and the Earls of Surrey, Norfolk, and Lincoln, who solemnly swore, on the soul of their lord the king, that on his return, if he obtained the victory, he would accede to their request.[4] Compelled to rest satisfied with this wary promise, which he afterwards tried in every way to elude, the refractory barons consented to advance into Scotland.

Meanwhile that country, notwithstanding the late expulsion of its enemies, was little able to contend with the superior numbers and discipline of the army now led against it. It was cruelly weakened by the continued dissensions and jealousy of its nobility. Ever since the elevation of Wallace to the rank of Governor of Scotland, the greater barons had envied his assumption of power; and, looking upon him as a person of ignoble birth, had seized all opportunities to despise and resist his authority.[5] These selfish jealousies were increased by the terror of Edward's military renown, and in many by the fear of losing their English estates; so that at the very time when an honest love of liberty, and a simultaneous spirit of resistance, could alone have saved Scotland, its nobility deserted their country, and refused to act with the only man whose success and military talents were equal to the emergency.

[1] Tyrrel, vol. iii. p. 129. Rymer, vol. i. part ii. p. 890. Palgrave's Parliamentary Writs, Chron. Abstract, p. 38. The names of the leaders to whom writs are directed occupy the whole Rotulus Scotiæ 26 and 27 Edward First. They are a hundred and fifty-four in number.

[2] Hemingford, vol. i. p. 153.

[3] Hemingford, p. 159.

[4] "Quod in reditu," *suo, obtenta victoria*, "omnia perimpleret ad votum." Hemingford, p. 159.

[5] "Licet apud comites regni et proceres ignobilis putaretur." Fordun a Hearne, p. 978. See also Fordun a Goodal, vol. ii. p. 174.

The governor, however, still endeavoured to collect the strength of the land. John Comyn of Badenoch, the younger, Sir John Stewart of Bonkill, Sir John Graham of Abercorn, and Macduff, the grand-uncle of the Earl of Fife, consented to act along with him; whilst Robert Bruce, maintaining a suspicious neutrality, remained with a strong body of his vassals in the castle of Ayr.

The plan adopted by Wallace for the defence of Scotland was the same as that which was afterwards so successfully executed by Bruce. It was to avoid a general battle, which, with an army far inferior to the English, must have been fought at a disadvantage; to fall back slowly before the enemy, leaving some garrisons in the most important castles, driving off all supplies, wasting the country through which the English were to march, and waiting till the scarcity of provisions compelled them to retreat, and give him a favourable opportunity of breaking down upon them with full effect. Edward had determined to penetrate into the west of Scotland, and there he purposed to conclude the war. He directed a fleet, with supplies for his army, to sail round from Berwick to the Firth of Forth; and having left Roxburgh, he proceeded by moderate marches into Scotland, laying waste the country, and anxious for a sight of his enemies. No one, however, was to be found who could give him information regarding the Scottish army; and he proceeded through Berwickshire to Lauder,[1] and without a check to Templeliston, now Kirkliston, a small town between Edinburgh and Linlithgow. Here, as provisions began already to be scarce, he determined to remain, in order to receive the earliest intelligence of his fleet; and, in case of accidents, to secure his retreat. At this time he learnt that frequent attacks were made against the foraging parties of his rear division, by the Scottish garrison in the strong castle of Dirleton: and that two other fortalices, which he had passed on his march, were likely to give him annoyance.[2] Upon this he despatched his favourite marshal bishop, Anthony Beck, who sat down before the castle; but, on account of the want of proper battering machines, found it too strong for him. He then attempted to carry it by assault, but was driven back with loss; and as his division began to be in extreme want, the bishop sent Sir John Marmaduke to require the king's pleasure. "Go back," said Edward, "and tell Anthony that he is right to be pacific when he is acting the bishop, but that in his present business he must forget his calling. As for you," continued the king, addressing Marmaduke, "you are a relentless soldier, and I have often had to reprove you for too cruel an exultation over the death of your enemies; but return now whence you came, and be as relentless as you choose. You will have my thanks, not my censure; and look you, do not see my face again, till these three castles are razed to the ground."[3]

In the meantime, the besiegers were relieved from the extremities of want, by the arrival of three ships with provisions; and the bishop, on receiving the king's message, took advantage of the renewed strength and spirit of his soldiers to order an assault, which was successful; the garrison having stipulated, before surrender, that their lives should be spared.[4] Edward, when at Kirkliston, had raised some of the young squires in his army to the rank of knighthood; and these new knights were sent to gain their spurs, by taking the other two fortalices. On coming before them, however, they found that the Scots had abandoned them to the enemy; and having destroyed them, they rejoined the main army.[5]

These transactions occupied a month, and the army began again to suffer severely from the scarcity of provisions. The fleet from Berwick was anxiously looked for, and Edward

[1] Prynne, Edward I., p. 788.

[2] Hemingford, vol. i. p. 160.
[3] Ibid.
[4] Ibid. p. 161. Walsingham, p. 75.
[5] Hemingford, vol. i. p. 161.

foresaw that in the event of its arrival being protracted a few days longer, he should be compelled to retreat. At last a few ships were seen off the coast, which brought a small supply; but the great body of the fleet was still detained by contrary winds, and a dangerous mutiny broke out in the camp. The Welsh troops had suffered much from famine; and a present of wine having been sent to them by the king, their soldiers, in a paroxysm of intoxication and national antipathy, attacked the English quarters in the night, and inhumanly murdered eighteen priests. Upon this the English cavalry hastily ran to their weapons, and breaking in upon the Welsh, slew eighty men. In the morning the Welsh, of whom there were forty thousand in the army, exasperated at the death of their companions, threatened to join the Scots. "Let them do so," said Edward, with his usual cool courage; "let them go over to my enemies: I hope soon to see the day when I shall chastise them both." This day, however, was, to all appearance, distant. The distress for provisions now amounted to an absolute famine. No intelligence had been received of the Scottish army. As the English advanced, the country had been wasted by an invisible foe; and Edward, wearied out, was at length compelled to issue orders for a retreat to Edinburgh, hoping to meet with his fleet at Leith, and thereafter to recommence operations against the enemy.

At this critical juncture, when the military skill and wisdom of the dispositions made by Wallace became apparent, and when the moment to harass and destroy the invading army in its retreat had arrived, the treachery of her nobles again betrayed Scotland. Two Scottish lords, Patrick, earl of Dunbar, and the Earl of Angus, privately, at daybreak, sought the quarters of the Bishop of Durham, and informed him that the Scots were encamped not far off in the forest of Falkirk. The Scottish earls, who dreaded the resentment of Edward, on account of their late renunciation of allegiance,[1] did not venture to seek the king in person. They sent their intelligence by a page, and added, that having heard of his projected retreat, it was the intention of Wallace to surprise him by a night attack, and to hang upon and harass his rear. Edward, on hearing this welcome news, could not conceal his joy. "Thanks be to God," he exclaimed, "who hitherto hath extricated me from every danger! They shall not need to follow me, since I shall forthwith go and meet them." Without a moment's delay, orders were issued for the soldiers to arm, and hold themselves ready to march. The king was the first to put on his armour; and, mounting his horse, rode through the camp, hastening the preparations, and giving orders in person, to the merchants and sutlers who attended the army to pack up their wares, and be ready to follow him. At length all was prepared, and at three o'clock the whole army was on its advance from Kirkliston to Falkirk, astonished at the sudden change in the plan of operations, and at the slow and deliberate pace with which they were led on. It was late before they reached a heath near Linlithgow, on which they encamped for the night. They were not allowed the refreshment of disarming themselves; but, to use the striking words of Hemingford, "each soldier slept on the ground, using his shield for his pillow; each horseman had his horse beside him, and the horses themselves tasted nothing but cold iron, champing their bridles." In the middle of the night a cry was heard. King Edward, who slept on the heath, whilst a page held his horse, was awakened by a sudden stroke on his side. The boy had been

[1] Hemingford, vol. i. p. 162. Lord Hailes has omitted to notice the fact that the intelligence regarding the position of the army was brought by two Scottish earls. It is difficult to understand how he should have overlooked it, as he quotes the very page of Hemingford where it is stated. He has attempted to disprove what appears to me completely established by the authority of Hemingford, "that the defeat at Falkirk was brought about by the dissensions amongst the Scottish leaders."

careless, and the horse, in changing his position, had put his foot on the king as he slept. Those around him cried out that their prince was wounded; and this, in the confusion of the night, was soon raised into a shout that the enemy were upon them, so that they hastily armed themselves, and prepared for their defence. But the mistake was soon explained. Edward had been only slightly hurt; and as the morning was near, he mounted his horse, and gave orders to march. They passed through Linlithgow a little before sunrise; and on looking up to a rising ground, at some distance in their front, observed the ridge of the hill lined with lances. Not a moment was lost. Their columns marched up the hill, but on reaching it, the enemy had disappeared; and as it was the feast of St Mary Magdalene, the king ordered a tent to be raised, where he and the Bishop of Durham heard mass. These lances had been the advanced guard of the enemy; for while mass was saying, and the day became brighter, the English soldiers could distinctly see the Scots in the distance arranging their lines, and preparing for battle.

The Scottish army did not amount to the third part of the force of the English; and Wallace, who dreaded this great disparity, and knew how much Edward was likely to suffer by the protraction of the war and the want of provisions, at first thought of a retreat, and hastened to lead off his soldiers; but he soon found that the English were too near to admit of this being accomplished without certain destruction; and he therefore proceeded to draw up his army, so as best to avail himself of the nature of the ground, and to sustain the attack of the English. He divided his infantry into four compact divisions, called *Schiltrons*,[1] composed of his lancers. In the first line the men knelt, with their lances turned obliquely outwards, so as to present a serried front to the enemy on every side. In this infantry consisted the chief strength of the Scottish army, for the soldiers stood so close, and were so linked or chained together, that to break the line was extremely difficult.[2] In the spaces between these divisions were placed the archers, and in the rear was drawn up the Scottish cavalry, consisting of about a thousand heavy-armed horse.[3]

After hearing mass, the King of England, being informed of the Scottish disposition of battle, hesitated to lead his army forward to the attack, and proposed that they should pitch their tents, and allow the soldiers and the horses time for rest and refreshment. This was opposed by his officers as unsafe, on account of there being nothing but a small rivulet between the two armies. "What then would you advise?" asked Edward. "An immediate advance," said they; "the field and the victory will be ours." "In God's name, then, let it be so," replied the king; and without delay, the barons who commanded the first division, the Marshal of England, and the Earls of Hereford and Lincoln, led their soldiers in a direct line against the enemy. They were not aware, however, of an extensive moss which stretched along the front of the Scottish position, and on reaching it, were obliged to make a circuit to the west to get rid of the obstacle. This retarded their attack; meanwhile the second line, under the command of the Bishop of Durham, being better informed of the nature of the ground, in advancing inclined to the east with the same object. The bishop's cavalry were fiery and impetuous. Thirty-six banners floated above the mass of spears, and shewed how many leaders of distinction were in the field; but Anthony Beck, who had seen enough of war to know the danger of too pre-

[1] See Notes and Illustrations, letter I.

[2] "Ther formost courey ther bakkis togidere sette,
There speres poynt over poynt, so sare, and so thikke
And fast togidere joynt, to se it was werlike,
Als a castelle thei stode, that were walled with stone,
Thei wende no man of blode thorgh tham suld haf gone."
—Langtoft's Chronicle, book ii. l. 304, 305.

[3] Hemingford, vol. i. p. 163.

cipitate an attack, commanded them to hold back, till the third line, under the king, came up to support them. "Stick to thy mass, bishop," cried Ralph Basset of Drayton, "and teach not us what we ought to do in the face of an enemy." "On then," replied the bishop; "set on in your own way. We are all soldiers to-day, and bound to do our duty." So saying, they hastened forward, and in a few minutes engaged with the first column of the Scots; whilst the first line, which had extricated itself from the morass, commenced its attack upon the other flank. Wallace's anxiety to avoid a battle had in all probability arisen from his having little dependence on the fidelity of the heavy-armed cavalry, commanded by those nobles who hated and feared him; and the events shewed how just were his suspicions: for the moment the lines met, the whole body of the Scottish horse shamelessly retired without striking a blow.[1]

The columns of infantry, however, with the intermediate companies of archers, kept their ground, and a few of the armed knights remained beside them. Amongst these, Sir John Stewart of Bonkill, in marshalling the ranks of the archers from the forest of Selkirk, was thrown from his horse. The faithful bowmen tried to rescue him, but in vain. He was slain, and the tall and athletic figures of those who fell round him drew forth the praise of the enemy.[2] On the death of this leader, the archers gave way; but the columns of the Scottish infantry stood firm, and their oblique lances, pointing every way, presented a thick wood, through which no attacks of the cavalry could penetrate. Edward now brought up his reserve of archers and slingers, who showered their arrows upon them, with volleys of large round stones, which covered the ground where they stood. This continued and galling attack, along with the reiterated charges of the cavalry, at last broke the first line, and the heavy-armed horse, pouring in at the gap which was thus made, threw all into confusion, and carried indiscriminate slaughter through their ranks. Macduff, along with his vassals from Fife, was slain;[3] and Wallace, with the remains of his army, having gained the neighbouring wood, made good his retreat, leaving nearly fifteen thousand men dead upon the field.[4] On the English side, only two men of note fell; one of them was Sir Bryan de Jaye, Master of the Scottish Templars, who, when pressing before his men in the ardour of the pursuit, was entangled in a moss in Callander wood, and slain by some of the Scottish fugitives. The other was a companion of the same order, and of high rank.[5]

The remains of the Scottish army immediately retreated from Falkirk to Stirling. Unable to maintain the town against the English army, they set it on fire; and Edward, on entering it on the fourth day after the battle, found it reduced to ashes.[6] The convent of the Dominicans, however, escaped the flames; and here the king, who still suffered from the wound given him by his horse, remained for fifteen days to recover his health. Meantime he sent a division of his army across the Forth into Clackmannanshire and Menteith, which, after ravaging the country and plundering the villages, advanced in its destructive march through Fife. The whole of this rich and populous district was now regarded with great severity, on account of the resistance made by Macduff and the men of Fife at Falkirk. It was accordingly delivered up

[1] Fordun a Hearne, p. 981. "Nam propter conceptam maliciam, ex fonte invidiæ generatam, quam erga dictum Willelmum Cuminenses habebant, cum suis complicibus campum deserentes, illæsi evaserunt." See also Hemingford, p. 164—"Fugerunt Scottorum equestres absque ullo gladii ictu."—And Winton, vol. ii. p. 101, book viii. chap. 15, l. 47. Also Chron. de Lanercost, p. 198.

[2] Hemingford, vol. i. p. 165.

[3] Winton, vol. ii. p. 101, book viii. chap. 15, l. 45.

[4] Tyrrel, vol. iii. p. 130, who quotes, as his authority, the Norwich Chronicle and the Chronicle of John Eversden, both English authorities. The older Scottish historians, Fordun and Winton, make no mention of the loss of the Scots.

[5] Notes and Illustrations, letter K.

[6] Prynne, Edward I., p. 791. Edward was at Stirling 26th July.

to complete military execution; and, to use the words of an ancient chronicle, "clene brent."[1] The city of St Andrews was found deserted by its inhabitants, and delivered to the flames. Beginning to be in distress for provisions, the English pushed on to Perth, which they found already burnt by the Scots themselves; so that, defeated in the hope of procuring supplies, and unable longer to support themselves in a country so utterly laid waste, they returned to Stirling, the castle of which Edward had commanded to be repaired. Having left a garrison there, he proceeded to Abercorn,[2] near Queensferry, where he had hopes to find his long-expected fleet, with supplies from Berwick; but his ships were still detained. He then marched to Glasgow, and through the district of Clydesdale, by Bothwell, to Lanark, from which he proceeded towards the strong castle of Ayr, then in the hands of the younger Bruce, earl of Carrick. Bruce fled at the approach of the king, after having set fire to the castle; and Edward marched into Galloway with the intention of punishing this refractory baron, by laying waste his country.[3] The army, however, began again to be grievously in want of provisions; and the king, after having for fifteen days struggled against famine, was constrained to return through the middle of Annandale, and to be contented with the capture of Bruce's castle of Lochmaben,[4] from which he proceeded to Carlisle. Thus were the fruits of the bloody and decisive battle of Falkirk plucked from the hands of Edward, by famine and distress, at the moment he expected to secure them; and after leading against Scotland the most numerous and best appointed army which had perhaps ever invaded it, and defeating his enemies with great slaughter, he was compelled to retreat while still nearly the whole of the country beyond the Forth was unsubdued, and even when that part which he had wasted and overrun was only waiting for his absence to rise into a new revolt against him.[5] At Carlisle the Earls of Norfolk and Hereford left the army to return home, under the pretence that their men and horses were worn out with the expedition, but in reality because they were incensed at the king for a breach of faith. Edward, when at Lochmaben, had, without consulting them or their brother nobles, disposed of the Island of Arran to Thomas Bisset, a Scottish adventurer, who, having invaded and seized it about the time of the battle of Falkirk, pretended that he had undertaken the enterprise for the King of England. This was done in violation of a solemn promise, that, without advice of his council, he would adopt no new measures; and to atone for so irregular a proceeding, a parliament was held at Carlisle, in which the king, who as yet was master of but a very small part of Scotland, assigned to his earls and barons the estates of the Scottish nobles. These, however, as an old historian remarks, were grants given in hope, not in possession; and even the frail tenure of hope by which they were held was soon threatened: for on reaching Durham messengers arrived with the intelligence that the Scots were again in arms, and the king hastily returned to Tynemouth, and from thence to Coldingham, near Beverley. His army was now much reduced by the desertion of Norfolk and Hereford; and the soldiers who remained were weakened with famine and the fatigues of war. To commence another campaign at this late season was impossible; but he instantly issued

[1] Hardynge's Chronicle, 8vo, London, 1543, p. 165. See Notes and Illustrations, letter L.

[2] Trivet, p. 313, calls this place "Abourtoun juxta Queenesferrie;" and Hearne, the editor, in a note, observes it may mean Aberdour. Prynne, Edward I., p. 791, quotes a letter of presentation by Edward, of John Boush of London, to the vacant church of Kinkell, dated at Aoercorn, Aug. 15, 1298.

[3] Hemingford, vol. i. p. 166.

[4] Ibid.

[5] Lord Hailes, 4to edit. vol. i. p. 263, ascribes the successes of Edward in this campaign to the precipitancy of the Scots. Yet the Scots were any thing but precipitate. They wasted the country, and purposely retired from Edward; nor did they fight, till the Earl of Dunbar and the Earl of Angus treacherously brought information where the Scottish army lay, and enabled Edward, by a rapid night-march, to surprise them. Edward owed his success to the fatal dissensions amongst the Scots, and to the superior numbers and equipment of his army.

his writs for the assembling of a new army, to chastise, as he said, the obstinate and reiterated rebellions of the Scots; and he appointed his barons to meet him at Carlisle on the eve of the day of Pentecost.[1] He also commanded the speedy collection of the money granted by the clergy of the province of York to assist him in his war with Scotland; and despatched letters to the nobles of England, ordering their attendance in the army destined against Scotland. Patrick, earl of Dunbar and March, and his son, Gilbert de Umfraville, earl of Angus, Alexander de Baliol, and Simon Fraser, all of them Scottish barons, were at this time friends to Edward, and resident at his court, and to them were the same commands directed.[2]

Wallace, soon after the defeat of Falkirk, voluntarily resigned the office of Governor of Scotland. The Comyns had threatened to impeach him of treason for his conduct during the war; and the Bruces, next in power to the Comyns, appear to have forgot their personal animosity, and united with their rivals to put him down. To these accusations the disaster at Falkirk gave some colour, and he chose rather to return to the station of a private knight, than to retain an elevation which, owing to the jealousy of the nobility, brought ruin and distress upon the people.[3] One ancient manuscript of Fordun[4] asserts that he passed over into France, where he was honourably welcomed and entertained by Philip, and increased his high character for personal prowess, by his successes against the pirates who then infested the seas; so that his exploits were celebrated in the French songs and ballads of the day. An examination of the valuable historical materials which exist in the public libraries of France might perhaps throw some light on this dark portion of his story. It is certain that his great name does not again recur in any authentic record, as bearing even a secondary command in the wars against Edward; nor indeed do we meet with him in any public transaction, until eight years after this, when he fell a victim to the unrelenting vengeance of that prince.

On the demission of Wallace, the Scottish barons chose John Comyn of Badenoch, the younger, and John de Soulis, to be governors of Scotland,[5] and after some time Bruce, earl of Carrick, and William Lamberton, bishop of St Andrews, were associated in the command.[6]

It is now necessary to allude to an attempt at a pacification between Edward and the Scots, which some time previous to this had been made by Philip of France; as the negotiations which then took place conduct us to the termination of Baliol's career, and throw a strong light on the character of the King of England.

John Baliol, whom the Scots still acknowledged as their rightful monarch, had remained a prisoner in England since 1296. On the conclusion of a truce between the Kings of France and England in 1297,[7] the articles of which afterwards formed the basis of the negotiations at Montreuil,[8] and of the important peace of Paris.[9] Philip demanded the liberation of Baliol, as his ally, from the tower. He required, also, that the prelates, barons, knights,

[1] Hemingford, vol. i. p. 166. "Juxta octavas beatæ virginis." 8th Sept. The king was at Carlisle till the 12th Sept. Prynne, Edward I., p. 789. Tyrrel, vol. iii. p. 131, on the authority of the Chron. Abingdon, p. 171, says the parliament was held at Durham. Rymer, Fœdera, new edit. part ii. p. 899. Prynne's Edward I., p. 789. The day of assembling was afterwards prorogated to the 2d of August. Rymer, new edit. part ii. p. 908.

[2] Madox's Hist. of Exchequer, chap. xvi. § 5, p. 445. Ex. Rotul. de adventu vicecomitum.

[3] "Eligens magis subesse cum plebe quam cum ejus ruina et gravi populi præesse dispendio, non diu post bellum variæ capellæ apud aquam de Forth officium custodis et curam quam gerebat sponte resignavit. Fordun a Hearne, p. 982. Winton, book viii. chap. xv. vol. ii. p. 102. Lord Hailes has omitted to notice this important fact, so positively stated by Fordun and Winton.

[4] Fordun a Goodal, vol. ii. p. 176.

[5] Fordun a Hearne, p. 982. Winton, book vii. chap. xv. vol. ii. p. 103.

[6] Rymer, Fœdera, p. 915, new edit. part ii. The first notice of Robert Bruce and Bishop Lamberton, as Guardians of Scotland, is on Nov. 13, 1299.

[7] Rymer, p. 878, new edit. part ii. Oct. 9, 1297.

[8] Ibid. p. 906, June 19, 1299.

[9] Ibid. p. 952, May 20, 1302.

and other nobles, along with the towns and communities, and all the inhabitants of Scotland, of what rank and condition soever, should be included in the truce, and that not only Baliol, but all the other Scottish prisoners, should be liberated, on the delivery of hostages. These demands were made by special messengers, sent for this purpose by Philip to the King of England;[1] and it is probable that John Comyn the younger, the Earl of Athole, and other Scottish barons, who had left Edward on his embarkation at Hardenburgh in Flanders,[2] and repaired to the Court of France, prevailed upon Philip to be thus urgent in his endeavours to include them and their country in the articles of pacification. Edward, however, had not the slightest intention of allowing the truce to be extended to the Scots. He was highly exasperated against them, and was then busy in collecting and organising an army for the purpose of reducing their country. He did not, at first, however, give a direct refusal, but observed that the request touching the king, the realm, and nobles of Scotland, was so new and foreign to the other articles of truce, that it would require his most serious deliberation before he could reply.[3] Immediately after this, he marched, as we have seen, at the head of an overwhelming army into Scotland; and, after the battle of Falkirk, found leisure to send his answer to Philip, refusing peremptorily to deliver up Baliol, or to include the Scottish nobles in the truce, on the ground, that at the time when the articles of truce were drawn up, Philip did not consider the Scots as his allies, nor was there any mention of Baliol or his subjects at that time.[4] "If," said Edward, "any alliance ever existed between Baliol and the French king, it had been deliberately and freely renounced." To this Philip replied, "That as far as the King of Scots, and the other Scottish nobles who were Edward's prisoners, were concerned, the renunciation of the French alliance had been made through the influence of force and fear, on which account it ought to be considered of no avail; that it was they alone whom he considered as included in the truce; and if any Scottish nobles had afterwards, of their own free will, submitted to Edward, and sworn homage to him, as had been done by Patrick, earl of Dunbar, Gilbert, earl of Augus, and their sons, the King of France would not interfere in that matter."[5]

Edward, however, who, at the time he made this reply, had defeated Wallace at Falkirk, and dispersed the only army which stood between him and his ambition, continued firm, notwithstanding the earnest remonstrances of Philip. The mediation of the Pope was next employed; and at the earnest request of Boniface, the king consented to deliver Baliol from his imprisonment, and to place him in the hands of the Papal legate, the Bishop of Vicenza. "I will send him to the Pope," said Edward, "as a false seducer of the people, and a perjured man."[6] Accordingly, Sir Robert Burghersh, the Constable of Dover, conveyed the dethroned king, with his goods and private property, to Whitsand, near Calais. Before embarking, his trunks were searched, and a crown of gold, the Great Seal of Scotland, many vessels of gold and silver, with a considerable sum of money, were found in them. The crown was seized by Edward, and hung up in the shrine of St Thomas the Martyr; the Great Seal was also retained, but the money was permitted to remain in his coffers. On meeting the legate at Whitsand, Burghersh formally delivered to this prelate the person of the ex-king, to be at the sole disposal of his Holiness; but a material condition was added, in the proviso "that the Pope should not

[1] Trivet, p. 311. Rymer, Fœdera, new edit. part ii. 861.

[2] Walsingham, p. 75. Trivet, p. 311.

[3] Rymer, Fœdera, new edit. part ii. April 1298.

[4] Ibid. p. 898.

[5] The important public instrument from which these facts regarding the negotiations between Edward and Philip are taken has been printed, for the first time, in the new edition of Rymer's Fœdera, vol. i. part ii. p. 898. See also Du Chesne, Hist. p. 600.

[6] Walsingham, pp. 76, 77. Pryune's Edward I., pp. 797, 798. Trivet, p. 315.

ordain or direct anything in the kingdom of Scotland concerning the people or inhabitants, or anything appertaining to the same kingdom, in behalf of John Baliol or his heirs." Edward's obsequiousness to the Roman See even went further, for he conferred on the Pope the power of disposing of Baliol's English estates. These estates were many and extensive. They were situated in nine different counties, and gave a commanding feudal influence to their possessor. But the king had not the slightest intention of paying anything more than an empty compliment to Boniface; for he retained the whole of Baliol's lands and manors in his own hand, and, some years afterwards, bestowed them upon his nephew, John of Bretagne.[1]

The dethroned King of Scotland was conveyed by the messengers of the Pope to his lands and castle of Bailleul, in France, where he passed the remaining years of his life in quiet obscurity.[2]

The restless activity of Edward's mind, and the unshaken determination with which he pursued the objects of his ambition, are strikingly marked by his conduct at this time. He was embroiled in serious disputes with his barons; some of the most valuable prerogatives of his crown were being wrested from his hands; he was deeply engaged with his negotiations with France; he was on the eve of his marriage: but nothing could divert him from the meditated war. He held a council of his nobility at Westminster, concerning the Scottish expedition. At midsummer he took a journey to St Albans, for the purpose of imploring the assistance of that saint.[3] In September he was married at Canterbury, to the sister of the King of France; and on the seventh day after his marriage he directed his letters to Edmund, earl of Cornwall, to meet him with horse and arms at York, on the 10th of November.[4] He commanded public prayers to be made for the success of his arms in all the churches of the kingdom, and enjoined the Friars Predicant to employ themselves in the same pious office.

Aware of these great preparations, the Scottish Regents, whose army was encamped in the Torwood, near Stirling, directed a letter to Edward, acquainting him that information of the late truce had been sent them by Philip, king of France; and that they were willing to desist from all aggression, during the period which was stipulated, provided the King of England would follow their example.[5] Edward did not deign to reply to this communication; but having assembled his parliament at York, in the beginning of November, he communicated to them his intentions as to the continuance of the war; and in the face of the approaching severity of the winter, marched with his army to Berwick-on-Tweed, where he had appointed a body of fifteen thousand foot soldiers, with a large reinforcement from the diocese of York,[6] and the whole military strength of his greater barons, to meet him. So intent was he on assembling the bravest knights and most hardy soldiers to accompany him, that he forbade, by public proclamation, all tournaments and plays of arms, so long as war lasted between him and his enemies; and interdicted every knight, esquire, or soldier, from attending such exhibitions, or going in search of adventures, without his special permission.[7] The object of the king was to march immediately into Scotland, to raise the

[1] Rhymer, Fœdera, vol. ii. p. 1029. The grant to John of Bretagne was made on Nov. 10, 1306.

[2] Walsingham, p. 77. See Notes and Illustrations, letter M.

[3] Chronicon Sti. Albani, quoted in Tyrrel, vol. iii. p. 134.

[4] Rymer, Fœd. vol. i. part ii. p. 913, new edition. Palgrave's Parliamentary Writs, p. 42, Chron. Abstract.

[5] Rymer, vol. i. p. 915, new edition. The date of the letter is, Foresta dell' Torre, 13th Nov. 1299.

[6] Rymer, Fœd. vol. i. pp. 915, 916, new edition.

[7] Rymer, ibid. p. 916, new edition. This is one of the instruments added by the editors to the new edition of this great work. Its terms are, "Ne quis miles, armiger, vel alius quicunque, sub forisfactura vitæ et membrorum, et omnium que tenet in dicto regno, torneare, bordeare, seu justas facere, aventuras quærere, aut alias ad arma ire presumat, quoquo modo sine nostra licencia speciali."

siege of Stirling, then invested by the regents, and to reduce that great division of Scotland beyond the Firth of Forth, which, along with the powerful district of Galloway, still remained independent. But after all his great preparations, his hopes were cruelly disappointed. His barons, with their military vassals, refused to go further than Berwick. They alleged that the early severity of the winter, the impassable and marshy ground through which they would be compelled to march, with the scarcity of forage and provisions, rendered any military expedition against Scotland impracticable and desperate.[1] The nobles, besides this, had other and deeper causes of discontent. The Great Charter, and the perambulation of the forests, had not been duly observed, according to promise; and without waiting remonstrance, they withdrew to their estates. Edward, in extreme anger, marched forward, with a small force, and seemed determined to risk a battle; but being informed of the strong position of the Scottish army, and of the resolute spirit with which they awaited his advance, the king submitted to the necessity of the case, and retreated to England.[2] Meanwhile the English, who were beleaguered in Stirling, after making a brave and obstinate defence, had begun to suffer the extremities of famine; upon which the king, finding it impossible to raise the siege, commanded them to capitulate;[3] and the castle was delivered to Sir John de Soulis, one of the regents. The Scots garrisoned it, and committed it to the keeping of Sir William Olifant.

In the course of the following year, Edward, indefatigable in the prosecution of his great object, again invaded Scotland, and found that the enemy, profiting by experience, had adopted that protracted warfare, which was their best security—avoiding a battle, and cutting off his supplies.[4] Encamping in Annandale, he besieged and took Lochmaben, and afterwards sat down before the castle of Caerlaverock, strongly situated on the coast of the Solway Firth. After some resistance, this castle was likewise taken and garrisoned,[5] and the king marched into Galloway, where he had an interview with the bishop of that diocese, who, having in vain attempted to mediate a peace, the Earl of Buchan and John Comyn of Badenoch repaired personally to Edward, and had a violent interview with the king. They demanded that Baliol, their lawful king, should be permitted peaceably to reign over them; and that their estates, which had been unjustly bestowed upon his English nobles, should be restored to their lords. Edward treated these propositions, which he considered as coming from rebels, with an unceremonious refusal; and after declaring that they would defend themselves to the uttermost, the king and the Scottish barons parted in wrath.

After this the king marched to Irvine, a seaport town situated on a river of the same name, and remained there encamped for eight days, until provisions were brought up from the ships which lay on the coast. During this time the Scottish army shewed itself on the opposite side of the river; but on being successively attacked by the Earl of Surrey, the Prince of Wales, and the king himself, they rapidly retreated to their morasses and mountains. Through this rough and difficult ground the heavy-armed English soldiers could not penetrate; and the Welsh, whose familiarity with rocky passes rendered them well fitted for a warfare of this kind, obstinately refused to act. Thus baffled in his attempts at pursuit, Edward stationed

[1] Hemingford, vol. i. p. 170. Trivet, p. 316.
[2] Langtoft's Chronicle, p. 308.
[3] Math. Westminst. p. 445. He mistakes the date of the surrender, which was 1299, not 1303.
[4] Rymer, Fœdera, vol. i. part ii. new edit. p. 920. Walsingham, p. 78, and Chron. I de Eversden apud Tyrrel, vol. iii. p. 139.
[5] See a curious and interesting historical poem, in vol. iv. of Antiquarian Repertory, p. 469, published from a MS. in the British Museum: since published with valuable historical and heraldic additions, by Sir Harris Nicolas. The garrison was only sixty strong, yet for some time defied the whole English army.

his head-quarters at Dumfries, and employed himself in taking possession of the different towns and castles of Galloway, and in receiving the submission of the inhabitants of that district.[1] Here he remained till the end of October; and having spent five months on an expedition which led to no important success, he was at last compelled, by the approach of winter, to delay till another season all his hopes of the entire subjugation of Scotland. Affecting, therefore, now when it suited his convenience, to be moved by the representations of the plenipotentiaries sent from the King of France, he granted a truce to the Scots, and artfully gave to a measure of necessity the appearance of an act of mercy. Edward, however, cautiously added, that he acceded to the wishes of Philip, out of favour to him, as his friend and relative, not as the ally of Scotland; nor would he give his consent to the cessation of arms, until the ambassadors of France agreed to consider it in this light: so careful was he lest any too hasty concession should interrupt his meditated vengeance, when a less refractory army and a milder season should allow him to proceed against his enemies.[2]

The king was induced, by another important event, to grant this truce to the Scots. This was no less than an extraordinary interposition upon the part of the Pope, commanding him, as he reverenced his sacred authority, to desist from all hostilities; and asserting that the kingdom of Scotland now belonged to the Holy See, and from the most remote antiquity had done so. The arguments by which the Roman Church supported this singular claim were, no doubt, suggested by certain Scottish commissioners whom Soulis, the regent, in a former part of this year, had sent on a mission to Rome, to complain of the grievous injuries inflicted by Edward upon Scotland, and to request the Pope's interposition in behalf of their afflicted country.[3]

Boniface, accordingly, influenced, as is asserted, by Scottish gold,[4] directed an admonitory bull to Edward, and commanded Winchelsea, archbishop of Canterbury, to deliver it to the king, who was then with his army in the wilds of Galloway. This prelate, with much personal risk, owing to the unlicensed state of the country, and the danger of being seized by the bands of Scottish robbers, who roamed about, thirsting, as he tells us, for the blood of the English, travelled with his suite of clerks and learned dignitaries as far as Kirkcudbright; and having passed the dangerous sands of the Solway with his chariots and horses, found the king encamped near the castle of Caerlaverock, and delivered to him the Papal bull.[5] Its arguments, as far as concerned the right of the King of England to the feudal superiority of Scotland, were sufficiently sound and judicious; but, as was to be expected, the grounds on which he could rest his own claim far less satisfactory. "Your royal highness," he observed, "may have heard, and we doubt not but the truth is locked in the book of your memory, that of old the kingdom of Scotland did and doth still belong in full right to the Church of Rome, and that neither your ancestors, kings of England, nor yourself, enjoyed over it any feudal superiority. Your father Henry, king of England, of glorious memory, when, in the wars between him and Simon de Montfort, he requested the assistance of Alexander III., king of Scotland, did, by his letters-patent, acknowledge that he received such assistance, not as due to him, but as a special favour. When you yourself requested the presence of the same King Alexander at the solemnity of your coronation, you, in like manner, by your letters-patent, entreated it as a matter of favour and

[1] Rymer, vol. i. new edition, p. 921. Walsingham, p. 78, makes Irvine, Swinam.

[2] Fordun a Hearne, p. 983. Winton, vol. ii. p. 104. Rymer, vol. i. p. 921.

[3] Fordun a Hearne, p. 983. Winton, vol. ii. p. 105.

[4] Walsingham, quoted in Tyrrel, vol. iii. p. 140.

[5] Prynne, Hist. Ed. I., p. 882, where there is a curious letter from the archbishop, giving an account of his journey.

not of right. Moreover, when the King of Scotland did homage to you for his lands in Tynedale and Penrith, he publicly protested that his homage was paid, not for his kingdom of Scotland, but for his lands in England; that as King of Scotland he was independent, and owed no fealty; which homage, so restricted, you did accordingly receive. Again, when Alexander III. died, leaving as heiress to the crown a grand-daughter in her minority, the wardship of this infant was not conferred upon you, which it would have been had you been lord superior, but was given to certain nobles of the kingdom chosen for that office." The bull proceeded to notice the projected marriage between the Prince of Wales and the Maiden of Norway; the acknowledgment of the freedom and independence of Scotland contained in the preliminary negotiations; the confusions which followed the death of the young queen; the fatal choice of Edward as arbiter in the contest for the crown; the express declaration of the King of England to the Scottish nobility, who repaired to his court during the controversy, that he received this attendance as a matter of favour, not as having any right to command it; and, lastly, it asserted that if, after all this, any innovations had been made upon the ancient rights and liberties of Scotland, with consent of a divided nobility, who wanted their kingly head; or of that person to whom Edward had committed the charge of the kingdom, these ought not in justice to subsist, as having been violently extorted by force and fear.

After such arguments, the Pope went on to exhort the king, in the name of God, to discharge out of prison and restore to their former liberty all bishops, clerks, and other ecclesiastical persons whom he had incarcerated, and to remove all officers whom by force and fear he had appointed to govern the nation under him; and he concluded by directing him, if he still pretended any right to the kingdom of Scotland, or to any part thereof, not to omit the sending commissioners to him fully instructed, and that within six months after the receipt of these letters, he being ever ready to do him justice as his beloved son, and inviolably to preserve his right.[1]

In presenting this dignified and imperious mandate, the archbishop, in presence of the English nobles and the Prince of Wales, added his own admonitions on the duty of a reverent obedience to so sacred an authority, observing that Jerusalem would not fail to protect her citizens, and to cherish, like Mount Sion, those who trusted in the Lord. Edward, on hearing this, broke into a paroxysm of wrath, and swearing a great oath, cried out—"I will not be silent or at rest, either for Mount Sion or for Jerusalem; but, as long as there is breath in my nostrils, will defend what all the world knows to be my right."[2] But the Papal interference was in those days, even to so powerful a monarch as Edward, no matter of slight importance; and, returning to his calmer mind, he requested the archbishop to retire until he had consulted with his nobility. On Winchelsea's re-admission, the king, in a milder and more dignified mood, thus addressed him:—"My Lord Archbishop, you have delivered me, on the part of my superior and reverend father, the Pope, a certain admonition touching the state and realm of Scotland. Since, however, it is the custom of England that, in such matters as relate to the state of that kingdom, advice should be had with all whom they may concern, and since the present business not only affects the state of Scotland, but the rights of England; and since many prelates, earls, barons, and great men, are now absent from my army, without whose advice I am unwilling, finally, to reply to my Holy Father, it is my pur-

[1] Rymer, Fœdera, new edition, vol. i. part ii. p. 907. Knighton, p. 2529. The date of this monitory bull is 5th July 1299. The letter of the archbishop, describing his journey to Edward, then at or near Caerlaverock, and his delivery of the bull, is dated at Otteford, 8th October 1300. Prynne, Edward I., p. 883.

[2] Walsingham, p. 78.

pose, as soon as possible, to hold a council with my nobility, and by their joint advice and determination, to transmit an answer to his Holiness by messengers of my own."[1]

It was particularly dangerous for Edward to quarrel with the Pope at this moment; for the peace with France was unconcluded, and Gascony still remained in the hands of the Holy See, which had not yet decided to whom it should rightly belong. The King of England, therefore, assumed the appearance of solemn deliberation in the preparation of his answer. He disbanded his army; he summoned a parliament to meet at Lincoln; he wrote to the chancellors of both universities, commanding them to send to this parliament some of their most learned and expert civilians, to declare their opinion as to the right of the King of England to be Lord Paramount of Scotland; and he gave directions to the abbots, priors, and deans of the religious houses in England that they should diligently examine the ancient chronicles and archives of their monastery, and collect and transmit to him by some one of their number, not only all matters illustrative of the rights competent to the King of England in the realm of Scotland, but everything which in any way related to that kingdom.[2]

On the meeting of the parliament at Lincoln, the king, after having conciliated the good-will of his nobility, by the confirmation of the great charters of liberties, and of the forests, the last of which he had evaded till now, ordered the Pope's bull to be read to the earls and barons assembled in parliament; and, after great debates amongst the lawyers who were present, the nobility of England directed a spirited letter to the Pope, with a hundred and four seals appended to it.[3] In this epistle, after complimenting the Holy Roman Church upon the judgment and caution with which she respected and inviolably preserved the rights of every individual, they remarked, that a letter from the Holy See had been shewn to them by their lord, King Edward, relating to certain matters touching the state and realm of Scotland, which contained divers wonderful and hitherto unheard-of propositions. It was notorious, they observed, in these parts of the world, that from the very first original of the kingdom of England, the kings thereof, as well in the times of the Britons as of the Saxons, enjoyed the superiority and direct dominion of the kingdom of Scotland, and continued either in actual or in virtual possession of the same through successive ages. They declared that in temporals, the kingdom of Scotland did never, by any colour of right, belong to the Church of Rome; that it was an ancient fief of the crown and kings of England; and that the kings of Scotland, with their kingdom, had been subject only to the kings of England, and to no other. That with regard to their rights, or other temporalities in that kingdom, the kings of England have never answered, nor ought they to answer, before any ecclesiastical or secular judge, and this on account of the freedom and pre-eminence of their royal dignity, and the custom to this effect observed through all ages. Wherefore, they concluded—"having diligently considered the letters of his Holiness, it is now, and for the future shall be, the unanimous and unshaken resolution of all and every one of us that our lord the king, concerning his rights in Scotland, or other temporal rights, must in nowise answer judicially before the Pope, or submit them to his judgment, or draw them into question by such submission; and that he must not send proxies or commissioners to his Holiness, more especially when it would manifestly tend to the disinheritance of the crown and royal dignity of England, to the notorious subversion of the state of the kingdom, and to the prejudice of our liberties, customs, and laws, delivered to them by their fathers; which, by their oaths, they were bound to observe and defend, and which, by the help of God, they would maintain with their

[1] Prynne, Edward I., p. 883.
[2] Rymer, Fœdera, new edit. vol. i. p. 923.
[3] Tyrrel, vol. iii. p. 146.

whole force and power." And they added, "that they would not permit the king to do, or even to attempt, such strange and unheard-of things, even if he were willing so far to forget his royal rights. Wherefore they reverently and humbly entreated his Holiness to permit the king to possess his rights in peace, without diminution or disturbance.[1]

Having in this bold and spirited manner refused to submit his pretended rights in Scotland to the jurisdiction of the See of Rome, the monarch, about two months after the meeting of his parliament at Lincoln, directed a private letter to the Pope,[2] which he expressly declared was not a memorial to a judge, but altogether of a different description, and solely intended to quiet and satisfy the conscience of his Holy Father, and in which, at great length, and by arguments too trifling to require confutation, he explained to him the grounds upon which he rested his claim of superiority, and the reasons for his violent invasion of Scotland.[3]

More intent than ever upon the reduction of this country, Edward once more summoned his barons to meet him in arms at Berwick on the day of St John the Baptist, and directed letters to the different seaports of England and Ireland, for the assembling of a fleet of seventy ships to rendezvous at the same place.[4] He determined to separate his force into two divisions, and to intrust the command of one to his son, the Prince of Wales. A pilgrimage to the shrine of St Thomas à Becket, and other holy places, was undertaken by the king previous to his putting himself at the head of his army; and this being concluded, he passed the Borders, and besieged and took the castle of Bonkill, in the Merse. The Scots contented themselves with laying waste the country; and aware of the hazard of risking a battle, they attacked the straggling parties of the English, and distressed their cavalry, by carrying off the forage.[5] The campaign, however, which had been great in its preparations, passed in unaccountable inactivity. An early winter set in with extreme severity, and many of the large war-horses of the English knights died from cold and hunger; but Edward, who knew that the Scots only waited for his absence to rise into rebellion, determined to pass the winter at Linlithgow. Here, accordingly, he established the head-quarters of his army, sent orders to England for supplies to be forwarded to his troops, employed his warlike leisure in building a castle, and kept his Christmas with his son and his nobles.[6]

The treaty of peace between Edward and Philip of France was still unconcluded; and as Philip continued a warm advocate for Baliol and the Scots, Edward, moved by his remonstrances, gave authority to his envoys at the French court to agree to a truce with Scotland.[7] The envoys, however, were sharply reproved by the king and his nobles for giving the title of king to Baliol, and permitting, as the basis of the negotiation, the alliance between France and his enemies.[8] Edward was well aware that if he admitted this, any conclusion of peace with Philip would preclude him from continuing the war which he had so much at heart; and on ratifying the

[1] Rymer, vol. ii. p. 875. "Nec etiam permittimus, aut aliquatenus permittemus, sicut nec possumus, nec debemus, præmissa tam insolita, prælibatum dominum nostrum Regem etiam si vellet facere."

[2] Tyrrel, vol. iii. p. 147. Rymer, vol. i. part ii. new edit. p. 932.

[3] Fordun a Hearne, p. 984.

[4] Ryley, p. 483. The summons is dated 12th March 1301. Rymer, Fœdera, vol. i. p. 928.

[5] Chron. Abing., quoted in Tyrrel, vol. iii. p. 148. Trivet, pp. 331, 332. Hemingford, vol. i. p. 196. Langtoft, vol. ii. pp. 315, 316.

[6] Fordun a Hearne, p. 984. Palgrave's Parl. Writs, Chron. Abstract, vol. i. p. 54.

[7] Rymer, Fœdera, new edit. vol. i. pp. 936, 937. Langtoft, p. 316.

[8] In Prynne, Edward I., p. 876, we find that Edward protested against this truce at Devizes, 30th April 1302. How are we to reconcile this protestation with the power granted to the English envoys, by an instrument signed at Dunipace, 14th Oct. 1301, Rymer, p. 936? and with the express ratification of the truce in Rymer, Fœd. vol. i. new edit. p. 938, signed at Linlithgow, 26th Jan. 1302? The truce was to continue till St Andrew's day, the 30th Nov. 1302.

truce, he subjoined his protestation, that although he agreed to a cessation he did not recognise John Baliol as the King of Scotland, nor the Scots as the allies of the King of France. Having brought these matters to a close at Linlithgow, the king proceeded to Roxburgh, and from this, by Morpeth and Durham, returned to London.[1]

The perseverance and courage of the Scots were ill supported by their allies. Boniface soon deserted them, and with extreme inconsistence, forgetting his former declarations, addressed a letter of admonition to Wishart, the bishop of Glasgow, commanding him to desist from all opposition to Edward. Wishart had been delivered from an English prison some time before, and, on taking the oath of fealty, had been received into favour; but unable to quench his love of liberty, or perhaps of intrigue, he had recommenced his opposition to the English; and the Pope now addressed him as the "prime mover and instigator of all the tumult and dissension which has arisen between his dearest son in Christ, Edward, King of England, and the Scots."[2] At the same time his Holiness addressed a bull to the body of the Scottish bishops, commanding them to be at peace with Edward, and threatening them, in case of disobedience, with a severer remedy.[3]

Deserted by Boniface, the Scots still looked to Philip for support; and aware that the negotiations for peace between France and England were in the course of being concluded, they sent the Earl of Buchan, James, the Steward of Scotland, John Soulis, one of the regents,[4] and Ingelram de Umfraville, to watch over their interests at the French court. But Philip, having been defeated in Flanders, became anxious at all risks to conclude a peace with England, and to concentrate his efforts for the reduction of the revolted Flemings.[5] Edward, who had hitherto supported the Flemings, entertained the same wish to direct his undivided strength against the Scots, and a mutual sacrifice of allies was the consequence. The English king paved the way for this, by omitting the Earl of Flanders in the enumeration of his allies, in the former truce ratified at Linlithgow; and Philip in return, not only left out the Scots in the new truce concluded at Amiens, but entirely excluded them in the subsequent and final treaty of peace not long afterwards signed at Paris.[6] Previous, however, to the conclusion of this treaty, so fatal to the Scots, the army of Edward experienced a signal defeat near Edinburgh.

John de Segrave had been appointed Governor of Scotland; and Edward, much incensed at the continued resistance of the Scots, who, on the expiration of the truce, had recommenced the war with great vigour, directed letters to Ralph Fitz-William, and twenty-six of his principal barons. By these he informed them that he had received intelligence from Segrave of the success of his enemies, who, after ravaging the country, and burning and seizing his towns and castles, threatened, unless put down with a strong hand, to invade and lay waste England. "For which reason," adds the king, "we request, by the fealty and love which bind you to us, that you will instantly repair to John de Segrave, with your whole assembled power of horse and foot." He then informs them of his resolution to be with his army in Scotland sooner than he at first intended; and that, in the meantime, he had despatched thither Ralph de Manton, his clerk of the wardrobe, who would pay them their allowances, and act as his treasurer as long as they continued on the expedition.[7]

Segrave marched from Berwick towards Edinburgh, about the beginning of Lent, with an army of twenty thousand men,[8] chiefly consisting of cavalry,

[1] Rymer, Fœdera, new edit. vol. i. p. 936. Tyrrel, vol. iii. p. 149.
[2] Rymer, vol. i. new edit. p. 942.
[3] Ibid.
[4] Maitland, vol. i. p. 461. Rymer, vol. i. new edit. p. 955.
[5] Tyrrel, vol. iii. 152.
[6] Rymer, Fœd. new edit. vol. i. p. 946-952.
[7] Rymer, Fœd. vol. i. new edit. part ii. p. 947. This document is published for the first time in the new edition of Rymer.
[8] Winton, vol. ii. p. 111.

commanded by some of Edward's best leaders. Amongst these were Segrave's brothers,[1] and Robert de Neville, a noble baron, who had been engaged with Edward in his Welsh wars.[2] In approaching Roslin, Segrave had separated his army into three divisions; and not meeting with an enemy, each division encamped on its own ground, without having established any communication with the others. The first division was led by Segrave himself; the second probably by Ralph de Manton, called, from his office, Ralph the Cofferer; the third by Neville. Early in the morning of the 24th February, Segrave and his soldiers were slumbering in their tents, in careless security, when a boy rushed in, and called out that the enemy were upon them. The news proved true. Sir John Comyn, the governor, and Sir Simon Fraser, hearing of the advance of the English, had collected a force of eight thousand horse, and marching in the night from Biggar to Roslin, surprised the enemy in their encampment. Segrave's division was entirely routed; he himself, after a severe wound, was made prisoner, along with sixteen knights, and thirty esquires; his brother and son were seized in bed, and the Scots had begun to collect the booty, and calculate on the ransom, when the second division of the English army appeared. A cruel but necessary order was given to slay the prisoners; and this having been done, the Scots immediately attacked the enemy, who, after an obstinate defence, were put to flight with much slaughter. The capture of Ralph the Cofferer, a rich booty, and many prisoners, were the fruits of this second attack, which had scarcely concluded when the third division, led by Sir Robert Neville, was seen in the distance. Worn out by their night-march, and fatigued by two successive attacks, the little army of the Scots thought of an immediate retreat. But this, probably, the proximity of Neville's division rendered impossible; and after again resorting to the same horrid policy of putting to death their prisoners, an obstinate conflict began, which terminated in the death of Neville, and the total defeat of his division.[3] There occurred in this battle a striking but cruel trait of national animosity. Ralph the Cofferer had been taken prisoner by Sir Simon Fraser; and this paymaster of Edward, though a priest, like many of the ecclesiastics and bishops of those fierce times, preferred the coat of mail to the surplice. On the order being given to slay the prisoners, Sir Ralph begged his life might be spared, and promised a large ransom. "This laced hauberk is no priestly habit," observed Fraser; "where is thine albe, or thy hood? Often have you robbed us of our lawful wages, and done us grievous harm. It is now our turn to sum up the account, and exact its payment." Saying this, he first struck off the hands of the unhappy priest, and then severed his head with one blow from his body.[4]

The remains of the English army fled to Edward, in England; and the Scots, after resting from their fatigues, collected and divided their booty, and returned home.[5]

This persevering bravery of the Scots in defence of their country was unfortunately united to a credulity which made them the dupes of the policy of Philip. Although not included in the treaty of Amiens, the French monarch had the address to persuade the Scottish deputies then at Paris, that having concluded his own affairs with Edward he would devote his whole efforts to mediate a peace between them and England; and he entreated them, in the meantime, to remain with him at the French court, until they could carry back to Scotland intelligence of his having completed the negotiation with Edward on behalf of themselves and their countrymen. The object of Philip, in all this, was to prevent the

[1] Hemingford, p. 197. "Cum Johanne de Segrave et fratribus suis, erant enim milites strenuissimi."

[2] Rymer, vol. i. new edit. p. 608. Trivet, p. 336.

[3] See Notes and Illustrations, letter N.

[4] Langtoft, vol. ii. p. 319.

[5] Winton, vol. ii. p. 117.

return of the deputies, amongst whom were some of the most warlike and influential of the Scottish nobles, previous to the expedition which Edward was about to lead against their country. Unsuspicious of any false dealing, they consented to remain; and in the meantime addressed a letter to the governor and nobility of Scotland, in which they exhorted them to be of good courage, and to persevere in vindicating the liberties of their country. "You would greatly rejoice," they say in this letter, "if you were aware what a weight of honour this last conflict with the English has conferred upon you throughout the world.———Wherefore, we beseech you earnestly that you continue to be of good courage. And if the King of England consent to a truce, as we firmly expect he will, do you likewise agree to the same, according to the form which the ambassadors of the King of France shall propose by one of our number, who will be sent to you. But if the King of England, like Pharaoh, shall grow hardened, and continue the war, we beseech you, by the mercy of Christ, that you quit yourselves like men, so that, by the assistance of God, and your own courage, you may gain the victory."[1]

To gain the victory, however, over the determined perseverance and overwhelming military strength of the English king, was no easy task. The distress of Scotland, from its exposure to the continued ravages of war, had reached a pitch which the people of the land could endure no longer. They became heart-broken for a time, under a load of misery and suffering from which they could see no relief but in absolute submission; the governor Comyn, the late guardian Wallace, and the few patriotic nobles who were still in the field, found it impossible to keep an army together; and all men felt assured that the entire subjugation of the country was an event which no human power could possibly prevent or delay. If Edward, at this crisis, again resumed the war, it was evident that nothing could oppose him. We may judge, then, of the desolating feelings of this unhappy country when word was brought that the King of England had once more collected the whole armed force of his dominions, and, leading his army in person, had passed the Border. The recent defeat at Roslin had chafed and inflamed his passions to the utmost; and he declared that it was his determined purpose either to reduce the nation to entire subjection, or to raze the land utterly with fire and sword, and turn it to a desert, fit only for the beasts of the field. In recording the history of this last miserable campaign, the historian has to tell a tale of sullen submission, and pitiless ravage; he has little to do but to follow in dejection the chariot wheels of the conqueror, and to hear them crushing under their iron weight all that was free, and brave, in a devoted country.

Edward separated his army into two divisions. He gave the command of one to his eldest son, the Prince of Wales, who directed his march westward into Scotland,[2] whilst the king himself, at the head of the second division, proceeded eastward by Morpeth and Roxburgh, and reached the capital without challenge or interruption in the beginning of June 1303. The whole course of the king, as well as that of the prince, was marked by smoke and devastation, by the plunder of towns and villages, the robbery of granges and garners, the flames of woods, and the destruction of the small tracts of cultivated lands which yet remained. Wherever he turned his arms, the inhabitants submitted to a power which it was impossible for them to resist; and the governor Comyn, Sir Simon Fraser, and the late guardian William Wallace, were driven into the wilds and fastnesses, where they still continued the war by irregular predatory expeditions against the convoys of the English.

From Edinburgh Edward continued his victorious progress by Linlithgow and Clackmannan to Perth, and afterwards by Dundee and Brechin pro-

[1] Rymer, Fœd. vol. i. new edit. p. 955, June 8, 1303.

[2] Hemingford, 205. Langtoft, 321.

ceeded to Aberdeen. From this city, pursuing his march northward, he reached Banff, and from thence he pushed on to Kinloss in Moray. Leaving this, he struck into the heart of Moray, and for some time established his quarters at Lochendorb, a castle strongly situated upon an island in a lake.[1] Here he received the oaths and homage of the northern parts of the kingdom,[2] and it is probable added to the fortifications of the castle. It is curious to find that, after a lapse of near five hundred years, the memory of this great king is still preserved in the tradition of the neighbourhood; and that the peasant, when he points out to the traveller the still massy and noble remains of Lochendorb, mentions the name of Edward I. as connected in some mysterious way with their history.

From this remote strength, the king, penetrating into Aberdeenshire, reached the strong castle of Kildrummie, in Garvyach,[3] from whence he retraced his route back to Dundee. Thence, probably by Perth, he marched to Stirling and Cambuskenneth, visited Kinross, and finally proceeded to take up his winter quarters at Dunfermline early in the month of December, where he was joined by his queen.[4] In this progress, the castle of Brechin shut its gates against him. It was commanded by Sir Thomas Maule, a Scottish knight of great intrepidity; and such was the impregnable nature of the walls that the battering engines of the king could not, for many days, make the least impression. So confident was Maule of this, that he stood on the ramparts, and, in derision of the English soldiers below, wiped off with a towel the dust and rubbish raised by the stones thrown from the English engines.[5] At last this brave man was struck down by one of the missiles he affected to despise, and the wound proved mortal. When he lay dying on the ground, some of his soldiers asked him if now they might surrender the castle. Though life was ebbing, the spirit of the soldier indignantly revived at this proposal, and pronouncing maledictions on their cowardice, he expired.[6] The castle immediately opened its gates to the English, after having stood a siege of twenty days.

The English king was chiefly employed at Dunfermline in receiving the submission of those Scottish barons and great men who had not made their peace during his late progress through the kingdom. But he engaged in other occupations little calculated to conciliate the Scots; for when at this place, his soldiers, by orders of their master, with savage barbarity destroyed a Benedictine monastery, of such noble dimensions that, an English historian informs us, three kings with their united retinues might have lodged within its walls. On account of its ample size, the Scottish nobles had often held their parliaments within its great hall—a sufficient crime, it would appear, in the eyes of the king. The church of the monastery, with a few cells for the monks, were spared; the rest was razed to the ground.

Meanwhile Comyn, the governor, along with Sir Simon Fraser, and a few barons, still kept up a show of resistance; and Wallace, who, since his abdication of the supreme power, had continued his determined opposition to Edward, lurked with a small band in the woods and mountains. The castle of Stirling, also, still held out; and as it was certain that the king would besiege it, Comyn, with the faint hope of defending the passage of the Forth, collected as many soldiers as he could muster, and encamped on the ground where Wallace had gained his victory over Cressingham and Surrey. But the days of victory were past. The king, the moment he heard

1 See Notes and Illustrations, letter O.

2 Fordun a Hearne, p. 989.

3 He was at Kildrummie on the 8th of October 1303, and at Dundee on the 20th of the same month. Prynne, 1015, 1017.—See Notes and Illustrations, letter P.

4 Langtoft, p. 322.

5 "Stetit ille Thomas cum manutergio et extrusit Cæsuram de Muro in subsannationem et derisum totius exercitus Anglicani." M. West. p. 446.

6 Liber Garderobæ Edw. I., fol. 15. Math. West. p. 446.

of this, forded the river in person, at the head of his cavalry, and routed and dispersed the last remnant of an army on which the hopes of Scotland depended. He had intended to pass the river by the bridge, but on coming forward he found it had been broken down and burnt by the Scots. Had the leaders profited by the lesson taught them by Wallace, they would have kept up the bridge, and attacked the English when defiling over it; but their rashness in destroying it compelled the king to find a ford, and enabled him to cross in safety.[1]

Soon after this expiring effort, the governor, with all his adherents, submitted to Edward. The Earls of Pembroke and Ulster, with Sir Henry Percy, met Comyn at Strathorde, in Fife,[2] on the 9th of February; and a negotiation took place, in which the late regent and his followers, after stipulating for the preservation of their lives, liberties, and lands, delivered themselves up, and agreed to the infliction of any pecuniary fine which the conqueror should think right. The castles and strengths of Scotland were to remain in the hands of Edward, and the government of the country to be modelled and administered at his pleasure. From this negotiation those were specially excepted, for whom, as more obstinate in their rebellion, the King of England reserved a more signal punishment. In this honourable roll we find Wishart, bishop of Glasgow, James, the Steward of Scotland, Sir John Soulis, the late associate of Comyn in the government of the kingdom, David de Graham, Alexander de Lindesay, Simon Fraser, Thomas Bois, and William Wallace.[3] To all these persons, except Wallace, certain terms, more or less rigorous, were held out, on accepting which Edward guaranteed to them their lives and their liberty; and we know that sooner or later they accepted the conditions. But of this great man a rigorous exclusion was made. "As for William Wallace," I quote the words of the deed, "it is covenanted that if he thinks proper to surrender himself, it must be unconditionally to the will and mercy of our lord the king." Such a surrender, it is well known, gave Edward the unquestionable right of ordering his victim to immediate execution.

An English parliament was soon after appointed to meet at St Andrews, to which the king summoned the Scottish barons who had again come under his allegiance. This summons was obeyed by all except Sir Simon Fraser and Wallace; and these two brave men, along with the garrison of Stirling, which still defied the efforts of the English, were declared outlaws by the vote, not only of the English barons, but with the extorted consent of their broken and dispirited countrymen.[4]

At length Fraser, despairing of being able again to rouse the spirit of the nation, consented to accept the hard conditions of fine and banishment offered him by the conqueror; and Wallace found himself standing alone against Edward, excepted from all amnesty, and inexorably marked for death.[5] Surrounded by his enemies, he came from the fastnesses where he had taken refuge to the forest of Dunfermline, and, by the mediation of his friends, proposed on certain conditions to surrender himself. These terms, however, partook more of the bold character of the mind which had never bowed to Edward, than of the spirit of a suppliant suing for pardon. When reported to Edward he broke out into ungovernable rage, cursed him by the fiend as a traitor, pronounced his malediction on all who sustained or supported him, and set a reward of three hundred marks upon his head. On hearing this, Wallace betook himself again to the wilds and mountains, and subsisted on plunder.[6]

[1] Notes and Illustrations, letter Q.

[2] Strathurd, or Strathord, on the Ord water in Fife, perhaps now Struthers.

[3] Prynne, Hist. Edward I., pp. 1120, 1121.

[4] Trivet, p. 338.

[5] See Notes and Illustrations, letter R.

[6] It is singular that this last circumstance should have escaped Lord Hailes and our

The castle of Stirling was now the only fortress which had not opened its gates to Edward. It had been intrusted by its governor, John de Soulis, who was still in France, to the care of Sir William Olifant, an experienced soldier, who, on seeing the great preparations made by Edward against his comparatively feeble garrison, sent a message to the king, informing him that it was impossible for him to surrender the castle without forfeiting his oaths and honour as a knight, pledged to his master, Sir John Soulis; but that if a cessation of hostilities were granted for a short time, he would instantly repair to France, inquire the will of his master, and return again to deliver up the castle, if permitted to do so.[1] This was a proposal perfectly in the spirit of the age, and Edward, who loved chivalry, would at another time probably have agreed to it; but he was now, to use the expressive words of Langtoft, "full grim," and roused to a pitch of excessive fury against the obstinate resistance of the Scots. "I will agree to no such terms," said he; "if he will not surrender the castle, let him keep it against us at his peril." And Olifant, accordingly, with the assistance of Sir William Dupplin, and other knights, who had shut themselves up therein, proceeded to fortify the walls, to direct his engines of defence, and to prepare the castle for the last extremities of a siege. Thirteen warlike engines were brought by the besiegers to bear upon the fortress.[2] The missiles which they threw consisted of leaden balls of great size, with huge stones and javelins, and the leaden roof of the refectory of St Andrews was torn away to supply materials for these deadly machines;[3] but for a long time the efforts of the assailants produced no breach in the walls, whilst the sallies of the besieged, and the dexterity with which their engines were directed and served, made great havoc in the English army. During all this, Edward, although his advanced age might have afforded him an excuse for caution, exposed his person with an almost youthful rashness. Mounted on horseback, he rode beneath the walls to make his observations, and was more than once struck by the stones and javelins thrown from the engines on the ramparts. One day, when riding so near that he could distinguish the soldiers who worked the balistæ, a javelin struck him on the breast, and lodged itself in the steel plates of his armour. The king with his own hand plucked out the dart, which had not pierced the skin, and shaking it in the air, called out aloud that he would hang the villain who had hit him.[4] On another occasion, when riding within the range of the engines, a stone of great size and weight struck so near, and with such noise and force, that the king's horse backed and fell with his master; upon which some of the soldiers, seeing his danger, ran in and forced Edward down the hill towards the tents.[5]

other historians. It is expressly and minutely stated by Langtoft. Chronicle, vol. ii. p. 324.

"Turn we now other weyes, unto our owen geste,
And speke of the Waleys that lies in the foreste;
In the forest he lendes of Dounfermelyn,
He praied all his frendes, and other of his kyn,
After that Yole, thei wilde beseke Edward,
That he might yelde till him, in a forward
That were honorable to kepe wod or beste,
And with his scrite full stable, and seled at the least,
To him and all his to haf in heritage;
And none otherwise, als terme tyme and stage
Bot als a propre thing that were conquest till him.
Whan thei brouht that tething Edward was fulle grim,
And bilauht him the fende, als his traytoure in Lond,
And ever-ilkon his frende that him susteyn'd or fond.
Three hundreth marke he hette unto his warisoun,
That with him so mette, or bring his hede to toun.
Now flies William Waleis, of pres nouht he spedis,
In mores and mareis with robberie him fedis."

1 Prynne, Edward I., p. 1051.

2 "Threttene great engynes, of all the reame the best,
Brouht thei to Strivelyne, the kastelle down to kest." —Langtoft, p. 326.

3 Fordun a Hearne, p. 990.

4 Walsingham, p. 89.

5 Math. Westminster, p. 449.

Whilst these engines within the castle did so much execution, those of Edward, being of small dimensions in comparison with the height of the walls, had little effect; and when fagots and branches were thrown into the fosse, to facilitate the assault, a sally from the castle succeeded in setting the whole in flames, and carried confusion and slaughter into the English lines.

The siege had now continued from the 22d of April to the 20th of May, without much impression having been made. But determination was a marked feature in the powerful character of the king. He wrote to the sheriffs of York, Lincoln, and London, commanding them to purchase and send instantly to him, at Stirling, all the balistæ, quarrells, bows and arrows, which they could collect within their counties; and he despatched a letter to the governor of the tower, requiring him to send down, with all haste, the balistæ and small quarrells which were under his charge in that fortress.[1] Anxious, also, for the assistance and presence of all his best soldiers, he published, at Stirling, an inhibition, proclaiming that no knight, esquire, or other person whatsoever, should frequent jousts or tournaments, or go in search of adventures and deeds of arms, without his special licence;[2] and aware that the Scottish garrison must soon be in want of provisions, he cut off all communication with the surrounding country, and gave orders for the employment of a new and dreadful instrument of destruction, the Greek fire, with which he had probably become acquainted in the East.[3] The mode in which this destructive combustible was used seems to have been by shooting from the balistæ large arrows, to whose heads were fastened balls of ignited cotton, which stuck in the roofs and walls of the buildings they struck, and set them on fire. In addition to this, he commanded his engineers to construct two immense machines, which, unlike those employed at first, overtopped the walls, and were capable of throwing stones and leaden balls of three hundred pounds weight. The first of these was a complicated machine, which, although much pains was bestowed on its construction, did no great execution; but the second, which the soldiers called the wolf, was more simple in its form, and, from its size and strength, most murderous in its effects.[4]

These great efforts succeeded: a large breach was made in the two inner walls of the castle; and the outer ditch having been filled up with heaps of stones and fagots thrown into it, Edward ordered a general assault. The brave little garrison, which for three months had successfully resisted the whole strength of the English army, were now dreadfully reduced by the siege. Their provisions were exhausted. Thirteen women, the wives and sisters of the knights and barons who defended the place, were shut up along with the soldiers, and their distress and misery became extreme. In these circumstances—their walls cast down, the engines carrying the troops wheeled up to the breach, and the scaling ladders fixed on the parapet—a deputation was sent to Edward, with an offer to capitulate, on security of life and limb. This proposal the king met with contempt and scorn; but he agreed to treat on the terms of an unconditional surrender, and appointed four of his barons, the Earls of Gloucester and Ulster, with Sir Eustace le Poor, and Sir John de Mowbray, to receive the last resolution of the besieged.

Sir John and Sir Eustace accordingly proceeded to the castle gate, and summoned the governor; upon which Sir William Olifant, his kinsman Sir William de Dupplin, and their squire Thomas Lillay, met the English knights, and proceeded with them to an interview with the two earls. At this meeting they consented, for themselves and their companions,

[1] Rymer, new edit. vol. i. p. 963.
[2] Ibid. p. 964.
[3] Wardrobe Book of Edward I., p. 52.

[4] Liber Garderobæ Edw. I. fol. 52. I owe these curious particulars to the research of Mr Macgregor Stirling.

to surrender unconditionally to the King of England; and they earnestly requested that he would permit them to make this surrender in his own presence, and himself witness their contrition.[1]

To this Edward agreed, and forthwith appointed Sir John Lovel to fill the place of governor. A melancholy pageant of feudal submission now succeeded. Sir William Olifant, and, along with him, twenty-five of the knights and gentlemen, his companions in the siege, presented themselves before the king, who received them in princely state, surrounded by his nobles and warriors. In order to save their lives, these brave men were compelled to appear in a garb and posture against which every generous feeling revolts. Their persons were stript to their shirts and drawers; their heads and feet were bare; they wore ropes around their necks; and thus, with clasped hands and bended knee, they implored the clemency of the king. Upon this, Edward, of his royal mercy, exempted them from the ignominy of being chained; but Olifant was sent to the Tower, and the rest were imprisoned in different castles throughout England.[2] The garrison was found to consist of no more than a hundred and forty soldiers; an incredibly small number, if we consider that for three months they had resisted the efforts of the army of England, led by the king in person.[3]

Having thus secured his conquest, by the reduction of the last castle which had resisted his authority, and having appointed English captains to the other strengths in Scotland, Edward left the temporary government of that country to John de Segrave; and, accompanied by the chief of the Scottish nobility, proceeded by Selkirk and Jedburgh to Yetholm, upon the Borders, and from thence to Lincoln, where he kept his Christmas with great solemnity and rejoicing.[4]

The only man in Scotland who had steadily refused submission was Wallace; and the king, with that inveterate enmity and unshaken perseverance which marked his conduct to his enemies, now used every possible means to hunt him down, and become master of his person. He had already set a large sum upon his head; he gave strict orders to his captains and governors in Scotland to be constantly on the alert; and he now carefully sought out those Scotsmen who were enemies to Wallace, and bribed them to discover and betray him.[5] For this purpose he commanded Sir John de Mowbray, a Scottish knight then at his court, and who seems at this time to have risen into great trust and favour with Edward, to carry with him into Scotland Ralph de Haliburton, one of the prisoners lately taken at Stirling. Haliburton was ordered to co-operate with the other Scotsmen who were then engaged in the attempt to seize Wallace, and Mowbray was to watch how this base person conducted himself.[6] What were the particular measures adopted by Haliburton, or with whom he cooperated, it is now impossible to determine; but it is certain that, soon after this, Wallace was betrayed and taken by Sir John Menteith, a Scottish baron of high rank. Perhaps we are to trace this infamous transaction to a family feud. At the battle of Falkirk, Wallace, who, on account of his overbearing conduct had never been popular with the Scottish nobility, opposed the pretensions of Sir John

[1] It is asserted, both by Fordun a Hearne, p. 991, and by Winton, vol. ii. p. 119, that the castle was delivered up to the English on a written agreement signed by Edward that the garrison should be quit and free of all harm; which agreement Edward perfidiously broke. The only thing mentioned in Rymer, new edit. p. 996, which gives some countenance to this accusation, is the fact that Olifant and Dupplin agreed to surrender *according to the terms which had been offered by the Earl of Lincoln*, and the record somewhat suspiciously conceals what these terms were. They may have amounted to a promise that the garrison should be quit of all harm.

[2] Rymer, new edit. p. 966. Math. West. pp. 449, 450.

[3] Hemingford, vol. i. p. 206. See Notes and Illustrations, letter S.

[4] Math. West. p. 450. Hemingford, vol. i. p. 206.

[5] Fordun a Goodal, vol. ii. p. 223.

[6] Ryley, Placita, p. 279. Leland, Collect. vol. i. p. 541, shews that Wallace employed in his service a knight named Henry Haliburton.

Stewart of Bonkill, when this baron contended for the chief command. In that disastrous defeat, Sir John Stewart, with the flower of his followers, was surrounded and slain; and it is said that Sir John Menteith, his uncle, never forgave Wallace for making good his own retreat, without attempting a rescue.[1] By whatever motive he was actuated, Menteith succeeded in discovering his retreat, through the treacherous information of a servant who waited on him;[2] and having invaded the house by night, seized him in bed, and instantly delivered him to Edward.

His fate, as was to be expected, was soon decided; but the circumstances of refined cruelty and torment which attended his execution reflect an indelible stain upon the character of Edward; and, were they not stated by the English historians themselves, could scarcely be believed. Having been carried to London, he was brought with much pomp to Westminster Hall, and there arraigned of treason. A crown of laurel, in mockery placed, was on his head, because Wallace had been heard to boast that he deserved to wear a crown in that hall. Sir Peter Mallorie, the king's justice, then impeached him as a traitor to the King of England,[3] as having burnt the villages and abbeys, stormed the castles, and slain and tortured the liege subjects of his master the king. Wallace indignantly and truly repelled the charge of treason, as he never had sworn fealty to Edward; but to the other articles of accusation he pleaded no defence; they were notorious, and he was condemned to death. The sentence was executed on the 23d of August. Discrowned and chained, he was now dragged at the tails of horses through the streets, to the foot of a high gallows, placed at the elms in Smithfield.[4] After being hanged, but not to death, he was cut down yet breathing, his bowels taken out, and burnt before his face.[5] His head was then struck off, and his body divided into four quarters. The head was placed on a pole on London bridge, his right arm above the bridge at Newcastle, his left arm was sent to Berwick, his right foot and limb to Perth, and his left quarter to Aberdeen.[6] "These," says an old English historian, "were the trophies of their favourite hero, which the Scots had now to contemplate, instead of his banners and gonfanons, which they had once proudly followed." But he might have added, that they were trophies more glorious than the richest banner that had ever been borne before him; and if Wallace already had been, for his daring and romantic character, the idol of the people,—if they had long regarded him as the only man who had asserted, throughout every change of circumstances, the independence of his country,—now that the mutilated limbs of this martyr to liberty were brought amongst them, it may well be conceived how deep and inextinguishable were their feelings of pity and revenge. Tyranny is proverbially short-sighted: and Edward, assuredly, could have adopted no more certain way of canonising the memory of his enemy, and increasing the unforgiving animosity of his countrymen.

The course of events which soon followed this cruel sentence demonstrates the truth of these remarks. For fifteen years had Edward been employed in the reduction of Scotland,—Wallace was put to death,—the rest of the nobility had sworn fealty,—the fortresses of the land were in the hands of English governors, who acted under an English guardian,—a parliament was held at London, where the Scottish nation was represented by ten commissioners, and these persons, in concert with twenty English commissioners, orga-

[1] Fordun a Hearne, p. 981. Duncan Stewart, Hist. of Royal Family of Scotland, p. 149-209.

[2] Langtoft, Chron. p. 329.

[3] Stow, Chron. p. 209.

[4] Winton, vol. ii. Notes, p. 502. Wallace was executed at Smithfield, on the site occupied now by Cow Lane.

[5] Math. Westminster, p. 451.

[6] MS. Chronicle of Lanercost, p. 208. Notes and Illustrations, letter T.

nised an entirely new system of government for Scotland. The English king, indeed, affected to disclaim all violent or capricious innovations; and it was pretended that the new regulations which were introduced were dictated by the advice of the Scottish nobles, and with a respect to the ancient laws of the land; but he took care that all that really marked an independent kingdom should be destroyed; and that, whilst the name of authority was given to the Scottish commissioners who were to sit in parliament, the reality of power belonged solely to himself. Scotland, therefore, might be said to be entirely reduced; and Edward flattered himself that he was now in quiet to enjoy that sovereignty which had been purchased by a war of fifteen years, and at an incredible expense of blood and treasure. But how idle are the dreams of ambition! In less than six months from the execution of Wallace,[1] this new system of government was entirely overthrown, and Scotland was once more free.

CHAPTER III.

ROBERT BRUCE.

1305—1314.

We now enter upon the history of this great and rapid revolution; and in doing so, it will first be necessary to say a few words upon the early character and conduct of the Earl of Carrick, afterwards Robert the First.

This eminent person was the grandson of that Robert Bruce, lord of Annandale, who was competitor for the crown with John Baliol. He was lineally descended from Isabella, second daughter of David, earl of Huntingdon, brother of William the Lion. John Baliol, the late King of Scotland, had, as we have already seen, renounced for ever all claim to the throne; and his son Edward was at that time a minor and a captive. Marjory Baliol, the sister of this unfortunate monarch, married John Comyn, lord of Badenoch. Their son, John Comyn, commonly called the Red Comyn, the opponent of Wallace, and, till the fatal year 1303, the regent of the kingdom, possessed, as the son of Marjory, Baliol's sister, a right to the throne, after the resignation of Baliol and his son, which, according to the principles on which Edward pronounced his decision, was unquestionable. He was also connected by marriage with the royal family of England,[2] and was undoubtedly one of the most powerful, if not the most powerful, subject in Scotland. Bruce and Comyn were thus the heads of two rival parties in the state, whose animosity was excited by their mutual claims to the same crown, and whose interests were irreconcileable. Accordingly, when Edward gave his

1 Wallace was executed 23d August 1305. The new regulations for the government of Scotland were introduced on the 15th October 1305. Bruce was crowned 27th March 1306. Lord Hailes represents the capture of Wallace by Sir John Menteith as only a *popular tradition*, leaving it to be inferred by his reader that there is no historical authority for the fact. See Notes and Illustrations, letter U, for an examination of the historian's opinion upon this subject.

2 His wife Johanna was daughter of William de Valence, earl of Pembroke. This Earl of Pembroke was son of Hugh de Brienne, who married Isabella, widow of John, king of England, grandfather of Edward the First.

famous award in favour of Baliol, Bruce, the competitor, refused to take the oath of homage;[1] and although he acquiesced in the decision, gave up his lands in the vale of Annandale, which he must have held as a vassal under Baliol, to his son, the Earl of Carrick; again, in 1293, the Earl of Carrick resigned his lands and earldom of Carrick to his son Robert, then a young man in the service of the king of England.[2] In the years 1295 and 1296, Edward invaded Scotland, and reduced Baliol, and the party of the Comyns, to submission. During this contest, Bruce, the earl of Carrick, and son of the competitor, possessed of large estates in England, continued faithful to Edward. He thus preserved his estates, and hoped to see the destruction of the only rivals who stood between him and his claim to the throne. Nor was this a vain expectation; for Edward, on hearing of the revolt of Baliol and the Comyns, undoubtedly held out the prospect of the throne to Bruce;[3] and these circumstances afford us a complete explanation of the inactivity of that baron and his son at this period. Meanwhile Baliol and the Comyns issued a hasty order, confiscating the estates of all who preserved their allegiance to Edward. In consequence of this resolution, the lordship of Annandale, the paternal inheritance of the Earl of Carrick, was declared forfeited, and given by Baliol to John Comyn, earl of Buchan, who immediately seized and occupied Bruce's castle of Lochmaben, an insult which there is reason to think the proud baron never forgave. Compelled to submit to Edward, the Comyns, and the principal nobles who supported them, were now carried prisoners into England; and, when restored to liberty, it was only on condition that they should join his army in Flanders, and assist him in his foreign wars.

During the brief but noble stand made by Wallace for the national liberty, Robert Bruce, then a young man of three-and-twenty, was placed in difficult and critical circumstances. It was in his favour that his rivals, the Comyns, were no longer in the field, but kept in durance by Edward. His father remained in England, where he possessed large estates, and continued faithful in his allegiance to the king. At this time it is important to remark what Walter Hemingford, a contemporary English historian, has said of young Bruce. After mentioning the revolt which was headed by Wallace, he informs us, "that the Bishop of Carlisle, and other barons, to whom the peace of that district was committed, became suspicious of the fidelity of Robert Bruce the younger, earl of Carrick, and sent for him to come and treat upon the affairs of Edward, if he intended to remain faithful to that monarch." Bruce, he continues, did not dare to disobey, but came on the day appointed, with his vassals of Galloway, and took an oath on the sacred host, and upon the sword of St Thomas, that he would assist the king against the Scots, and all his enemies, both by word and deed. Having taken this oath, he returned to his country; and to give a colour of truth to his fidelity, collected his vassals, and ravaged the lands of William Douglas, carrying the wife and infant children of this knight into Annandale. Soon after this, however, as he returned from a meeting of the Scottish conspirators to his own country, having assembled his father's men of Annandale, (for his father himself then resided in the south of England, and was ignorant of his son's treachery,) he told them, "that it was true he had lately taken a foolish oath at Carlisle, of which they had heard." He assured them that it was extorted by force, and that he not only deeply repented what he had done, but hoped soon to get absolution. Meanwhile he added, "that he was resolved to go with his own vassals and join the nation from which he sprung; and he earnestly entreated them to do the same, and come along with him as his dear friends and counsellors. The men of Annandale, however, disliking the

[1] Leland, Collect. vol. i. p. 540.
[2] Ibid.
[3] See supra, p. 42.

peril of this undertaking, whilst their master, the elder Bruce, was in England, decamped in the night; and the young Bruce, aspiring to the crown, as was generally reported, joined himself to the rebels, and entered into the conspiracy with the Bishop of Glasgow and the Steward of Scotland, who were at the bottom of the plot."[1] Such is an almost literal translation from the words of Walter Hemingford, whose information as to Scottish affairs at this period seems to have been minute and accurate.

At this time the ambition or the patriotic feelings of Bruce were certainly short-lived; for, not many months after, he made his peace at the capitulation at Irvine, and gave his infant daughter, Marjory, as a hostage for his fidelity.[2] Subsequent to the successful battle of Stirling, the Comyns, no longer in the power of the English king, joined Wallace; and young Bruce, once more seeing his rivals for the throne opposed to Edward, kept aloof from public affairs, anxious, no doubt, that they should destroy themselves by such opposition. He did not, as has been erroneously stated, accede to the Scottish party,[3] but, on the contrary, shut himself up in the castle of Ayr, and refused to join the army which fought at Falkirk. As little, however, did he cordially co-operate with the English king, although his father, the elder Bruce, and his brother, Bernard Bruce, were both in his service, and, as there is strong reason to believe, in the English army which fought at Falkirk. Young Bruce's conduct, in short, at this juncture, was that of a cautious neutral; but Edward, who approved of no such lukewarmness in those who had sworn homage to him, immediately after the battle of Falkirk advanced into the west. Bruce, on his approach, fled; and Edward afterwards led his army into Annandale, and seized his strong castle of Lochmaben.[4]

In a parliament held not long subsequent to this, the king gave to his nobles some of the estates of the chief men in Scotland; but the great estates of the Bruce family, embracing Annandale and Carrick, were not alienated. The fidelity of the elder Bruce to England in all probability preserved them. On the 13th of November 1299, we find Robert Bruce the younger, earl of Carrick, associated as one of the regents of the kingdom with John Comyn, that powerful rival, with whom he had hitherto never acted in concert.[5] It seems, however, to have been an unnatural coalition, arising more out of Bruce's having lost the confidence of Edward, than indicative of any new cordiality between him and Comyn; and there can be little doubt, also, that they were brought to act together by a mutual desire to humble and destroy the power of Wallace, in which they succeeded. But to punish this union, Edward, in his short campaign of 1300, wasted Annandale, took Lochmaben castle, and marched into Galloway, ravaging Bruce's country. Thus exposed to, and suffering under the vengeance of the King of England, it might be expected that he should have warmly joined with his brother regents in the war. But this seems not to have been the case. He did not take an active share in public affairs; and previous to the battle of Roslin, he returned, as we have seen, to the English party. During the fatal and victorious progress of Edward through Scotland in 1303, he remained faithful to that monarch, while his rivals, the Comyns, continued in arms against him. On the death of his father, which took place in 1304, Bruce was permitted by the King of England to take possession of his whole English and Scottish estates; and so high does

[1] Hemingford, vol. i. p. 120. Hailes, 8vo edit. vol. i. p. 301.

[2] Rymer, Fœd. vol. i. new edit. p. 868. Robert Bruce, earl of Carrick, James, the Steward of Scotland, John, his brother, Alexander de Lindesay, and William de Douglas, submitted themselves to Edward. On 30th July 1297, John Comyn, son of John, lord of Badenoch, John, earl of Athole, and Richard Suvard, were liberated from prison, and accompanied Edward to Flanders.

[3] Hailes' Annals, vol. i. 4to, pp. 256–263.

[4] Hemingford, p. 166.

[5] Rymer, vol. ii. p. 859.

he appear to have risen in the esteem of Edward, that he acted a principal part in the settlement of the kingdom in 1304; whilst his rival Comyn was subjected to a heavy fine, and seems to have wholly lost the confidence of the king.[1]

In this situation matters stood at the important period when we concluded the last chapter. Bruce, whose conduct had been consistent only upon selfish principles, found himself, when compared with other Scottish barons, in an enviable situation. He had preserved his great estates, his rivals were overpowered, and, on any new emergency occurring, the way was partly cleared for his own claim to the crown.

The effect of all this upon the mind of Comyn may be easily imagined. He felt that one whose conduct, in consistency and honour, had been inferior to his own, was rewarded with the confidence and favour of the king; whilst he who had struggled to the last for the liberty of his country became an object of suspicion and neglect. This seems to have rankled in his heart, and he endeavoured to instil suspicions of the fidelity of Bruce into the mind of Edward;[2] but at the same time he kept up to that proud rival the appearance of friendship and familiarity. Bruce, in the meantime, although he had matured no certain design for the recovery of the crown, never lost sight of his pretensions, and neglected no opportunity of strengthening himself and his cause by those bands and alliances with powerful barons and prelates which were common in that age. He had entered into a secret league of this kind with William de Lamberton, bishop of St Andrews, in which they engaged faithfully to consult together, and to give mutual assistance to each other, by themselves and their people, at all times, and against all persons, to the utmost of their power; without guile to warn each other against all dangers, and to use their utmost endeavour to prevent them.[3] This league was of course sedulously concealed from Edward; but it seems to have become known to Comyn, and a conference between him and Bruce on the subject of their rival claims actually took place. At this meeting Bruce described, in strong expressions, the miserable servitude into which their mutual dissensions, and their pretensions to the crown, had plunged the country; and we are informed by one of the most ancient and accurate of the contemporary historians, that he proposed as an alternative to Comyn, either that this baron should make over his great estate to Bruce, on condition of receiving from him in return his assistance in asserting his claim to the throne, or should agree to accept Bruce's lands, and assist him in the recovery of his hereditary kingdom. "Support my title to the crown," said Bruce, "and I will give you my estate; or give me your estate, and I will support yours."[4] Comyn agreed to wave his right and accept the lands; and, in the course of these confidential meetings, became acquainted with Bruce's secret associations, and even possessed of papers which contained evidence of his designs for the recovery of his rights. These designs, however, were as yet quite immature, and Bruce, who was still unsuspected, and in high confidence with Edward, repaired to the English court. Whilst there, Comyn betrayed him,[5] and despatched letters to the king, informing him of the ambitious projects of Bruce. Edward, anxious to unravel the whole conspiracy, had recourse to dissimulation, and the Earl of Carrick continued

[1] Trivet, p. 334.

[2] Hemingford, p. 219, says this expressly:—"Cumque mutuo loquerentur ad invicem verbis ut videbatur pacificis, statim convertens faciem et verba pervertens cœpit improperare ei."

[3] See Ayloffe's Calendar of Ancient Charters. p. 295. The deed is transcribed in Lord Hailes' Annals, vol. i. p. 280.

[4] Fordun a Hearne, p. 992, vol. iv. Winton, vol. ii. p. 122, says this conference took place when the two barons were "rydingfra Strevylyn." See also Langtoft, vol. ii. p. 330. Barbour's Bruce, Jamieson's edit. p. 18.

[5] Winton asserts, vol. ii. p. 123, that Comyn betrayed Bruce when he was yet in Scotland; upon which Edward sent for him to get him into his power; and that Bruce, suspecting nothing, repaired to London to attend parliament.

in apparent favour. But the king had inadvertently dropped some hint of an intention to seize him; and Bruce, having received from his kinsman, the Earl of Gloucester,[1] an intimation of his danger, took horse, and, accompanied by a few friends, precipitately fled to Scotland. On the Borders they encountered a messenger hastening to England. His deportment was suspicious, and Bruce ordered him to be questioned and searched. He proved to be an emissary of Comyn's, whom that baron had sent to communicate with Edward. He was instantly slain, his letters were seized, and Bruce, in possession of documents which disclosed the treachery of Comyn, pressed forward to his castle of Lochmaben,[2] which he reached on the fifth day after his sudden flight. Here he met his brother, Edward Bruce, and informed him of the perilous circumstances in which he was placed.[3] It was now the month of February, the time when the English justiciars appointed by Edward were accustomed to hold their courts at Dumfries; and Bruce, as a freeholder of Annandale, was bound to be present. Comyn was also a freeholder in Dumfriesshire, and obliged to attend on the justiciars; so that in this way those two proud rivals were brought into contact, under circumstances peculiarly irritating.[4] They met at Dumfries, and Bruce, burning with ill-dissembled indignation, requested a private interview with the rival who had betrayed him, in the Convent of the Minorite Friars. Comyn agreed, and, entering the convent, they had not reached the high altar before words grew high and warm, and the young baron, losing command of temper, openly arraigned Comyn of treachery. "You lie!" said Comyn; upon which Bruce instantly stabbed him with his dagger, and hurrying from the sanctuary which he had defiled with blood, rushed into the street, and called "To horse!" Lindsay and Kirkpatrick, two of his followers, seeing him pale and agitated, demanded the cause. "I doubt," said Bruce, as he threw himself on his horse, "I have slain Comyn." "Do you doubt?" cried Kirkpatrick, fiercely; "I'll make sure!" and instantly entered the convent, where he found the unhappy man still alive, but bleeding, and lying on the steps of the high altar. By this time the noise of the scuffle had alarmed his friends, and his uncle, Sir Robert Comyn,[5] rushing into the convent, attempted to save him. But Kirkpatrick slew this new opponent, and having despatched his dying victim, who could offer no resistance, rejoined his master. Bruce now assembled his followers, and took possession of the castle of Dumfries, whilst the English justiciars, who held their court in a hall in the castle, believing their lives to be in danger, barricaded the doors. But the building was immediately set fire to, upon which the judges capitulated, and were permitted to depart from Scotland without further molestation.[6]

This murder had been perpetrated by Bruce and his companions in the heat of passion, and was entirely unpremeditated; but its consequences were important and momentous. Bruce's former varying and uncertain line of policy, which had arisen out of the hope of preserving, by fidelity to Edward, his great estates, and of seeing his rival crushed by his opposition

[1] The Earl of Gloucester is ridiculously enough denominated by Maitland, vol. i. p. 469, Earl Gomer; by Boece called Glomer, which is as absurdly supposed to be a corruption of Montgomery.

[2] Winton, vol. ii. p. 127.

[3] Barbour, vol. i. p. 23.

[4] Hailes' Annals, vol. i. p. 355.

[5] There seems some little ambiguity about the knight's name. Hailes, vol. i. p. 291, says he is commonly called Sir Richard. A book of chronicles in Peter College Library, quoted by Leland, Coll. vol. i. p. 473, calls him Sir Roger. The Pope's bull, vol. iii. Rymer, Fœd. p. 810, puts it beyond doubt that his name is Robert. The murder of Comyn happened on Thursday, the 10th of February 1305-6.

[6] Hemingford, vol. i. p. 220. This historian tells us, that after Bruce had with his followers seized the castle of Dumfries, and expelled the justiciars, word was brought him that Comyn was still alive, and had been carried by the friars within the high altar, to confess his sins. Upon which Bruce ordered him to be dragged out and slain on the steps of the altar, so that the altar itself was stained with his blood. This is improbable.

to England, was at once changed by the murder of which he had been guilty. His whole schemes upon the crown had been laid open to Edward. This was ruin of itself; but, in addition to this, he had, with his own hand, assassinated the first noble in the realm, and in a place of tremendous sanctity. He had stained the high altar with blood, and had directed against himself, besides the resentment of the powerful friends and vassals of the murdered earl, all the terrors of religion, and the strongest prejudices of the people. The die, however, was cast, and he had no alternative left to him but either to become a fugitive and an outlaw, or to raise open banner against Edward, and, although the disclosure of his plans was premature, to proclaim his title to the crown. Having determined on this last, he repaired immediately to Lochmaben castle, and despatched letters to his friends and adherents. It was fortunate for him at this trying crisis that he had secured the friendship and assistance of the Archbishop of St Andrews, William de Lamberton, by one of those bands or covenants, which, in this age, it was considered an unheard-of outrage to break or disregard. Lamberton's friendship disarmed of its dreadful consequences that sentence of excommunication which was soon thundered against him, and his powerful influence necessarily interested in his behalf the whole body of the Scottish clergy.

The desperate nature of Bruce's undertaking appeared very manifest, from the small number of adherents who joined his fortunes. The enumeration will not occupy much space. It embraced the Earls of Lennox and of Athole; Lamberton, the bishop of St Andrews; Robert Wishart, bishop of Glasgow; David, bishop of Moray; the Abbot of Scone; his four brothers, Edward, Nigel, Thomas, and Alexander; his nephew, Thomas Randolph; his brother-in-law, Christopher Seton; Gilbert de la Haye of Errol, with his brother, Hugh de la Haye; David Barclay of Cairns; Alexander Fraser, brother of Simon Fraser, of Oliver castle; Walter de Somerville, of Linton and Carnwath; David of Inchmartin; Robert Boyd; and Robert Fleming. Such was the handful of brave men, comprising two earls and only fourteen barons, with whose assistance Bruce determined to take the field against the overwhelming power of England, directed by one of the most experienced statesmen, and certainly by the most successful military commander, of the age. "With these," says the authentic and affectionate Fordun, "he had the courage to raise his hand, not only against the King of England and his allies, but against the whole accumulated power of Scotland, with the exception of an extremely small number who adhered to him, and who seemed like a drop of water when compared to the ocean."[1]

Bruce's first step was bold and decisive. He determined immediately to be crowned at Scone, and for this purpose repaired from his castle of Lochmaben to Glasgow, where he was joined by some of the friends who supported his enterprise. On the road from Lochmaben, a young knight, well armed and horsed, encountered his retinue, who, the moment Bruce approached, threw himself from his

[1] "There is no living man," continues the historian, "who is able to narrate the story of those complicated misfortunes which befell him in the commencement of this war, his frequent perils, his retreats, the care and weariness, the hunger and thirst, the watching and fasting, the cold and nakedness to which he exposed his person, the exile into which he was driven, the snares and ambushes which he escaped, the seizure, imprisonment, the execution, and utter destruction of his dearest friends and relatives. . . . And if in addition to these almost innumerable and untoward events, which he ever bore with a cheerful and unconquered spirit, any man should undertake to describe his individual conflicts and personal successes, those courageous and single-handed combats in which, by the favour of God, and his own great strength and courage, he would often penetrate into the thickest of the enemy, now becoming the assailant, and cutting down all who opposed him; at another time acting on the defensive, and evincing equal talents in escaping from what seemed inevitable death; if any writer shall do this, he will prove, if I am not mistaken, that he had no equal in his own time, either in knightly prowess, or in strength and vigour of body."—Fordun a Hearne, vol. v. p. 998.

horse, and kneeling, did homage to him as his sovereign. He was immediately recognised as Sir James Douglas, the son of William, the fourth Lord Douglas, whose estate had been given by Edward to the Lord Clifford, and was affectionately welcomed; for his father had fought with Wallace, and the son had already shewn some indications of his future greatness. Douglas immediately joined the little band who rode with Bruce; and thus commenced a friendship which, after a series of as noble services as ever subject paid to sovereign, was not dissolved even by death: for it was to this tried follower that in after years his dying master committed his heart to be carried to Jerusalem.[1]

From Glasgow Bruce rode to Scone, and there was solemnly crowned, on Friday, the 27th of March. Edward had carried off the ancient regalia of the kingdom, and the famous stone-chair, in which, according to ancient custom, the Scottish kings were inaugurated. But the ready care of Wishart, bishop of Glasgow, supplied from his own wardrobe the robes in which Robert appeared at his coronation; and a slight coronet of gold,[2] probably borrowed by the abbot of Scone from some of the saints or kings which adorned his abbey, was employed instead of the hereditary crown. A banner, wrought with the arms of Baliol, was delivered by the Bishop of Glasgow to the new king; and Robert received beneath it the homage of the prelates and earls who attended the ceremony. On the second day after the coronation, and before Bruce and his friends had left Scone, they were surprised by the sudden arrival of Isabella, countess of Buchan, sister of the Earl of Fife, who immediately claimed the privilege of placing the king upon the throne. It was a right which had undoubtedly belonged to the earls of Fife from the days of Malcolm Canmore; and as the Earl of Fife was at this time of the English party, the countess, a high-spirited woman, leaving her home, joined Bruce at Scone, bringing with her the war-horses of her husband.[3] The new king was not in a condition to think lightly of anything of this nature. To have refused Isabella's request might give to his enemies some colour for alleging that an essential part of the ancient solemnity had been omitted in his coronation. The English historians would have us believe that the lady was influenced by tenderer feelings than ambition or policy; but this is doubtful. It is certain that on the 20th of March the king was a second time installed in the regal chair by the hands of the countess,[4] who afterwards suffered severely for her alleged presumption.

Bruce next made a progress through various parts of Scotland, strengthening his party by the accession of new partisans; seizing some of the castles and towns which were in the possession of the enemy; committing to prison the sheriffs and officers of Edward;[5] and creating so great a panic, that many of the English fled precipitately from the country. His party, nevertheless, was small; the Comyns possessed the greatest power in Scotland, and they and their followers opposed him, not only from motives of policy, but with the deepest feelings of feudal enmity and revenge; while many earls and barons, who had suffered in the late wars, preferred the quiet of submission to the repeated hazards of insurrection and revolt.

Edward had returned to Winchester, from a pleasure tour through the counties of Dorset and Hampshire, when he received the intelligence of the murder of Comyn and the revolt of Bruce. Although not an aged man, he had reached the mature period of sixty-five; and a constant exposure to the fatigues of war had begun to

[1] Barbour, by Jamieson, p. 27.

[2] Rymer, Fœdera, vol. ii. p. 1048. This *coronella aurea* came into the hands of Geffrey de Coigners, who seems to have incurred the resentment of Edward the First, for concealing and preserving it. Langtoft, Chronicle, vol. ii. p. 331. Maitland has no authority for asserting, vol. i. p. 474, that the crown was made expressly for Robert's coronation, by Geffrey de Coigners.

[3] Hemingford, vol. i. p. 220. Robertson's Index, p. 17, No. 41.

[4] Trivet, p. 342. See Notes and Illustrations, letter V.

[5] Rymer, Fœd. vol. ii. p. 988.

make an impression upon a constitution of great natural strength. He was become unwieldy, and so infirm that he could not mount on horseback or lead his armies; and after twenty years of ambitious intrigue, and almost uninterrupted war, now that he was in the decline of his strength and years, he found his Scottish conquests about to be wrested from him by a rival, in whom he had placed the greatest confidence. But although broken in body, this great king was in his mind and spirit yet vigorous and unimpaired, as was soon evinced by the rapidity and decision of his orders, and the subsequent magnitude of his preparations. He instantly sent to strengthen the frontier garrisons of Berwick and Carlisle, with the intention of securing the English Borders on that side from invasion; and he appointed the Earl of Pembroke, with Lord Robert Clifford and Henry Percy, to march into Scotland, directing them to proceed against his rebels in that kingdom.[1] This was in an eminent degree the age of chivalry; and Edward, who had himself gained renown in Palestine, availed himself of that imposing system to give greater spirit to his intended expedition. He published a manifesto, declaring his intention of bestowing knighthood upon his son, the Prince of Wales; and he caused it to be proclaimed over England that as many young esquires as had a right to claim knighthood should appear at Westminster on the Feast of Pentecost, and receive that honour along with the son of their sovereign, after which they should accompany him in his Scottish war. On the day appointed, three hundred young gentlemen, the flower of the English youth, with a brilliant assemblage of pages and attendants, crowded before the king's palace; which being too small for so great a concourse, orders were given to cut down the trees in the orchard of the New Temple. In this ample space the novices pitched their pavilions; and the king, with a splendid munificence, distributed to them from his royal wardrobe the scarlet cloth, fine linen, and embroidered belts, made use of on such occasions. Habited in these, they kept their vigil and watched their arms in the Chapel of the Temple, whilst the young prince performed the same ceremony in the abbey church at Westminster. Next morning Edward, with great pomp, knighted his son in the palace; and the prince, after having received the belt and spurs, came to the abbey church to confer the same honour upon the young esquires who were there waiting for him, with an immense concourse of spectators. This crowd was the cause of giving additional solemnity to the spectacle, for the prince was obliged, from the press, to mount the steps of the high altar; and on this sacred spot, amid the assembled chivalry of England, he conferred the rank of knighthood upon his three hundred companions. He and his companions then proceeded to the banquet, at which two swans, ornamented with golden net-work, emblems in those days of constancy and truth, were brought in. Upon their being placed on the table, the king rose and made a solemn vow to God and to the swans that he would set out for Scotland, there avenge the death of John Comyn, punish the treachery of the Scots, and afterwards embark for the holy war, with the resolution to die in Palestine.[2] After this strange and irreverent adjuration, he next addressed his son, and made him promise that if he died before he took this journey, he should carry his body with the army into Scotland, and not commit it to the earth until he had obtained the victory over his enemies. The clergy and laity then agreed to contribute a thirtieth, and the merchants a tenth, towards defraying the expenses of the war. The

[1] Rymer, Fœd. new edition, vol. i. part. ii. p. 982. Math. Westminst. p. 454. Aymer de Valence, earl of Pembroke, was appointed Guardian of Scotland, with full power to receive those to mercy who would come in and submit themselves, excepting those who had a hand in the murder of the Lord Comyn. This appears by a charter under the Great Seal, quoted by Tyrrel, vol. iii. p. 171.

[2] Hailes, vol. ii. p. 4.

prince and the barons promised faithfully to perform these commands of their sovereign; and having agreed to meet at Carlisle fifteen days after Midsummer, they returned home to make preparations for war.[1] The Earl of Pembroke, with Clifford and Henry Percy, soon hastened into Scotland; and the Prince of Wales, with his knights companions, followed in the rear of their army; whilst Edward himself, unable from violent fatigue, proceeded towards Carlisle by slow journeys. It was an ill commencement of the young prince's chivalry that his excessive cruelty in ravaging the country, and sparing neither age nor sex, incurred the censure of his father the king, who was himself little wont to be scrupulous on these occasions.[2]

Bruce was unfortunate in the early part of his career; and his military talents, which afterwards conducted him through a course of unexampled victory, were nursed amid scenes of incessant hardship and defeat. After having ravaged Galloway,[3] he marched towards Perth, at that time a town walled and strongly fortified, where the Earl of Pembroke lay with a small army of soldiers. Bruce, on arriving at Perth, and finding the earl shut up within the walls, sent a challenge, requesting him, in the chivalrous style of the age, to come out and try his fortune in an open field. Pembroke answered that the day was too far spent, but that he would fight with him next morning; upon which the king retired, and encamped about a mile from Perth, in the wood of Methven. Towards evening, whilst his soldiers were busy cooking their supper,[4] and many were dispersed in foraging parties, a cry was heard that the enemy were upon them; and Pembroke, with his whole army, which outnumbered the Scots by fifteen hundred men, broke in upon the camp.[5] The surprise was so complete, that it can only be accounted for by the belief that the king had implicitly relied upon the promise of the English earl. He and his friends had scarcely time to arm themselves. They made, however, a stout resistance, and at the first onset Bruce attacked the Earl of Pembroke, and slew his horse; but no efforts of individual courage could restore order, or long delay defeat; and the battle of Methven was from the first nearly a rout. The king was thrice unhorsed, and once so nearly taken, that the captor, Sir Philip de Mowbray, called aloud that he had the new-made king, when Sir Christopher Seton felled Mowbray to the earth, and rescued his master.[6] The king's brother, Edward Bruce, Bruce himself, the Earl of Athole, Sir James Douglas, Sir Gilbert de la Haye, Sir Nigel Campbell, and Sir William de Barondoun,[7] with about five hundred men, kept the field, and at last effected their retreat into the fastnesses of Athole; but some of his best and bravest friends fell into the hands of the enemy. Sir David de Berklay, Sir Hugh de la Haye, Sir Alexander Fraser, Sir John de Somerville, Sir David Inchmartin, and Thomas Randolph, then a young esquire, were all taken, along with Hugh, a chaplain.[8] On being informed of the victory, Edward gave orders for the instant execution of the prisoners; but the Earl of Pembroke, with more humanity, did not carry these orders into immediate execution. Randolph, on being pardoned, deserted his uncle; others were ransomed; whilst the chaplain, with other knights who had

[1] Math. Westminst. p. 455. Langtoft, p. 333.

[2] Ypodigma Neustriæ, p. 498.

[3] Chron. Lanercost, p. 204.

[4] Chron. Abingdon, quoted in Tyrrel, vol. iii. p. 172.

[5] Barbour, by Jamieson, p. 37.

[6] Barbour, pp. 35, 36. Math. Westminst., p. 455, asserts that the king was thrice unhorsed, and thrice rescued by Sir Simon Fraser.

[7] This knight is a witness to a charter of Haig of Bemerside to the Abbey of Melrose, along with Thomas Rymer of Ercildoun and others. Chartulary of Melrose, Bib. Harl. 3960, f. 109, a.

[8] Prynne's Edward I., p. 1123. Barbour, by Jamieson, p. 35. The battle, according to Hume's History of the House of Douglas, p. 44, was fought on the 19th June. A ballad in MS., Harleian, No. 2253, f. 60, a, says that the battle was fought before St Bartholomew's mass, *i.e.* 24th August.

been taken, were hanged and quartered.[1]

Bruce and his friends now began to feel the miseries of outlaws. A high price was set on his head, and he was compelled to harbour in the hills, deprived of the common comforts of life. He and his followers presented a ragged and wretched appearance. Their shoes were worn off their feet by constant toil in a mountainous country; and hunting, in better days a joyful pastime, became a necessitous occupation. At length want and distress drove him and his little band into the low country; and at Aberdeen his brother, Sir Nigel Bruce, met him with his queen and other ladies, determined to share the pains of war and banishment with their husbands and their fathers.[2] Here, after enjoying a short season of solace and respite, a report was brought of the near advance of the English; and the king and his friends, accompanied by their faithful women, retreated into Breadalbane.[3] And now, if already they had experienced distress, it was, we may believe, greatly aggravated by the presence of those whose constitutions were little able to struggle against cold and hunger, and whose love, as it was of that sterling kind which was ready to share in every privation, only made the hearts of their husbands and fathers more keenly alive to their sufferings. An ancient author has given a striking account of their mode of life. The roots and berries of the woods, the venison caught in the chase, the fish which abounded in the mountain rivers, supplied them with food—the warm skins of deer and roe with bedding—and all laboured to promote their comfort; but none with such success as the brave and gallant Sir James Douglas. This young soldier, after the imprisonment and death of his father, had been educated at the polished court of France;[4] and whilst his indefatigable perseverance in the chase afforded them innumerable comforts, his sprightly temper and constant gaiety comforted the king and amused his forlorn companions.[5]

They had now reached the head of Tay, and deeper distresses seemed gathering round them, for the season was fast approaching when it was impossible for women to exist in that remote and wild region; and they were on the borders of the Lord of Lorn's country, a determined enemy of Bruce, who had married the aunt of the murdered Comyn.[6] Lorn immediately collected a thousand men, and, with the barons of Argyle, besetting the passes, hemmed in the king, and attacked him in a narrow defile, where Bruce and his small band of knights could not manage their horses. The Highlanders were on foot; and, armed with that dreadful weapon, the Lochaber axe, did great execution. Sir James Douglas, with Gilbert de la Haye, were both wounded, and many of the horses severely cut and gashed; so that the king, dreading the total destruction of his little band, managed to get them together, and having placed himself in the rear, between them and the men of Lorn, commenced his retreat, halting at intervals, and driving back the enemy, when they pressed too hard upon them. It was in one of these skirmishes that Bruce, who, in the use of his weapons, was esteemed inferior to no knight of his time, with his own hand killed three soldiers, who attacked him at the same time and at a disadvantage[7]—a feat which is said to have extorted even from his ene-

[1] Barbour, p. 37. Prynne, Edward I., p. 1123-4.

[2] Edward, on being informed of this trait of female heroism, is said by Fordun to have published a proclamation proscribing all those women who continued to follow their husbands. Ker, in his History of Bruce, vol. i. p. 226, seems to have mistaken the meaning of Fordun, misled by his monkish Latin.

[3] Barbour, p. 41.

[4] Hume's Hist. of House of Douglas and Angus, p. 37.

[5] Barbour, vol. i. p. 40.

[6] Ibid. p. 41.

[7] Barbour, p. 44. Lord Hailes, who in other places quotes Barbour as an unquestionable historical authority, says he dare not venture to place this event in the text. Surely there is nothing marvellous in a knight of great bodily strength and courage with his single hand despatching three half naked *ketherans*.

mies the praise of superior chivalry. Having thus again escaped, a council was held, and it was resolved that the queen and her ladies should be conducted to the strong castle of Kildrummie, in Mar, under an escort, commanded by young Nigel Bruce, the king's brother, and John, earl of Athole. The king, with only two hundred men, and beset on all sides by his enemies, was left to make his way through Lennox to Kantire, a district which, from the influence of Sir Neil Campbell, who was then with him, he expected would be somewhat more friendly. He now gave up all the horses to those who were to escort the women, and having determined to pursue his way on foot, took a melancholy farewell of his queen.[1] It was the last time he ever saw his brother, who soon after was taken, and fell a victim to the implacable revenge of Edward. Bruce, meanwhile, pressed on through Perthshire to Loch Lomond. On the banks of this lake his progress was suddenly arrested. To have travelled round it would have been accomplished at great risk, when every hour, which could convey him beyond the pursuit of his enemies, was of value. After some time, they succeeded in discovering a little boat, which, from its crazy and leaky state, could hold but three persons, and that not without danger of sinking. In it, the king, Sir James Douglas, and another, who rowed them, first passed over. They then despatched it in return for the rest, so that the whole band at length succeeded in reaching the other side. Amid these complicated dangers and distresses, the spirit of their royal master wonderfully supported his followers. His memory was stored with the tales of romance so popular in that chivalrous age; and in recounting the sufferings of their fabled heroes, he is said to have diverted the minds of his friends from brooding too deeply on their own.[2] They began now to feel the misery of hunger, and in traversing the woods in search of food they encountered the Earl of Lennox, who, since the unfortunate defeat at Methven, had heard nothing of the fate of his sovereign. Lennox fell on his master's neck, and the king wept in embracing him. But even this natural burst of grief proved dangerous by occupying too much time; for the enemy were now pressing on their track, and everything depended on Bruce's gaining the coast, where he expected to meet Sir Neil Campbell, whom he had sent in advance. This he fortunately accomplished; and Campbell, with a few boats which he had collected, conveyed the monarch and his followers to the coast of Kantire, where they were hospitably received by Angus of Islay, lord of Kantire. From thence, deeming himself still insecure, he passed over with three hundred in his company to the little island of Rachrin, situated on the northern coast of Ireland, amid whose rude but friendly inhabitants he buried himself from the pursuit of his enemies.[3]

Edward, on hearing of the escape of Bruce, proceeded with his usual severity against his enemies. He published at Lanercost, where he then lay, on his road to Scotland, an ordinance, by which all who were guilty of the death of John Comyn were sentenced to be drawn and hanged; and he decreed that the same extremity of punishment should be inflicted on such as either advised or assented, or, after the fact, knowingly received them. It was added, that any persons who were in arms against the king, either before or since the battle of Methven, as well as all who were willingly of the party of Robert Bruce, or who assisted the people in rising contrary to law, were, on conviction, to be imprisoned; and it was commanded that every subject of the king should levy hue and cry upon all who had been in arms against England, and under the penalty of imprisonment, and loss of their estates, apprehend such offenders dead or alive. Finally, as to the common people of Scotland, who, contrary to their inclination, might by their lords have been compelled to rise in arms,

[1] Barbour, vol. i. p. 51.
[2] Ibid. pp. 53, 54.
[3] Barbour, p. 62.

the guardian was permitted to fine and ransom them according to their offences.[1]

These orders were rigorously carried into execution, and the terror of the king's vengeance induced some of the Scottish barons to act with meanness. Bruce's queen,[2] and his daughter Marjory, thinking themselves insecure in the castle of Kildrummie, which was threatened by the English army, had taken refuge in the sanctuary of St Duthac, at Tain, in Ross-shire, and were treacherously given up to the English by the Earl of Ross, who violated the sanctuary, and made them, and the knights who escorted them, prisoners. These brave men were immediately put to death, and the queen, with her daughter, committed to close confinement in England;[3] where, in different prisons and castles, they endured an eight years' captivity. A more severe fate awaited the Countess of Buchan, who had dared to place the king upon the throne, and who was soon after taken. In one of the outer turrets of the castle of Berwick was constructed a cage, latticed and cross-barred with wood, and secured with iron, in which this unfortunate lady was immured. No person was permitted to speak with her except the women who brought her food, and it was carefully stipulated that these should be of English extraction. Confined in this rigorous manner, and yet subjected to the gaze of every passer by, she remained for four years shut up, till she was released from her misery, and subjected to a milder imprisonment[4] in the monastery of Mount Carmel, in Berwick. Mary and Christina, both sisters to the Scottish king, were soon after made prisoners. Mary was confined in a cage similar to that of the Countess of Buchan, built for her in one of the turrets of Roxburgh castle;[5] and Christina was delivered to Henry Percy, who shut her up in a convent.

Immediately after the battle of Methven, the troops of the Earl of Pembroke, in scouring the country, took prisoners, Lamberton, bishop of St Andrews, and the Abbot of Scone, who were found clad in armour, and conveyed them in fetters to England.[6] Soon after this, Robert Wishart, bishop of Glasgow, who had escaped to the castle of Cupar in Fife, was there taken, and sent fettered, and in his mail coat, to the castle of Nottingham.[7] These clerical champions were saved from the gallows solely by their sacred function. They had strenuously supported Bruce by their great influence, as well as by their money and their armed vassals; and Edward, after commanding them to be imprisoned in irons, within different castles, wrote to the Pope, requesting that, in consequence of their treason against him, William Comyn, brother to the Earl of Buchan, and Geoffrey de Mowbray, should be appointed to the vacant sees of St Andrews and Glasgow—a proposal with which his Holiness does not appear to have complied.[8]

The next victim excited deeper commiseration. Bruce's youthful brother, Nigel, had shut himself up in the castle of Kildrummie, and there defied the English army, commanded by the Earls of Lancaster and Hereford. After a brave defence, the treachery of one of the garrison, who set fire to the magazine of corn, and destroyed their supplies, compelled them to surrender. The beautiful person and en-

[1] Tyrrel, Hist. of England, vol. iii. p. 174; and Rymer, Fœd. vol. i. part ii. p. 995, new edition.

[2] A daughter of the Earl of Ulster.

[3] Fœdera, vol. ii. pp. 1013, 1014. Barbour's Bruce, p. 66. Major, p. 181, erroneously says the queen was delivered up by William Comyn. In Rymer, Fœdera, vol. i. part ii. new edit. p. 767, we find William, earl of Ross.

[4] Rotuli Scotiæ, vol. i. p. 85. Trivet, p. 342. Math. West. p. 455. Notes and Illustrations, letter W.

[5] Fœdera, vol. ii. p. 1014. She was confined in the cage till 1310, when she was exchanged for nine English prisoners of note in the hands of the Scots. Rot. Scotiæ, vol. i. p. 86.

[6] Math. Westminster, p. 455.

[7] Rymer, Fœd. vol. i. part ii. new edit. p. 996.

[8] Prynne, Edward I., p. 1156. The Bishop of St Andrews was confined in the castle of Winchester, the Bishop of Glasgow in the castle of Porchester. Rymer, Fœd. p. 996, ut supra.

gaging manners of Nigel Bruce[1] rendered his fate a subject of horror and indignation to the Scots, and excited sentiments of pity in every bosom but that of Edward. He was sent to Berwick, there condemned by a special commission, hanged, and afterwards beheaded.[2] Along with him divers other knights and soldiers suffered the same fate.[3] Christopher de Seton, who had married a sister of Bruce, and had rendered essential service to the king, took refuge in his castle of Loch Don, in Ayrshire, which is said to have been pusillanimously given up to the English by Sir Gilbert de Carrick.[4] Seton, who was a great favourite with the people, was especially obnoxious to Edward, as he had been personally present at the death of Comyn. He was immediately hurried to Dumfries, and condemned and hanged as a traitor. So dear to King Robert was the memory of this faithful friend and fellow warrior, that he afterwards erected on the spot where he was executed a little chapel, where mass was said for his soul.[5] Sir Christopher's brother, John de Seton, was taken about the same time, and put to death at Newcastle.

The Earl of Athole, who was allied to the King of England, had been present at the coronation of Bruce, and had fought for him at the battle of Methven. In attempting to escape beyond seas, he was driven back by a tempest, and fell into the hands of the enemy. Edward, on hearing of his being taken, although he then lay dangerously sick, expressed great exultation; and while some interceded for Athole, on account of the royal blood which flowed in his veins, swore that his only distinction should be a higher gallows than his fellow traitors. Nor was this an empty threat. He was carried to London, tried and condemned in Westminster Hall, and hanged upon a gallows fifty feet high. He was then cut down half dead, his bowels taken out and burnt before his face, and at last beheaded, his head being afterwards placed, amongst those of other Scottish patriots, upon London bridge.[6]

Sir Simon Fraser was still free; and the other knights and nobles who had fallen into the hands of Edward are said to have boasted that it would require all the efforts of the king to apprehend him. Fraser was a veteran soldier; his life had been spent in war both at home and on the continent, and he enjoyed a high reputation. With a small force which he had collected, he made a last effort for the national liberty at Kirkencliff, near Stirling, but was entirely routed, and forced to surrender himself prisoner to Sir Thomas de Multon. Many knights and squires were taken along with him, whilst others fell on the field, or were drowned in the river.[7] This warrior enjoyed great popularity in Scotland, as the last friend and follower of Wallace; and the severity and studied indignity with which he was treated by Edward reminds us of the trial and execution of that heroic person. He was carried to London heavily ironed, with his legs tied under his horse's belly, and as he passed through the city, a garland of periwinkle was in mockery placed upon his head. He was then lodged in the Tower, along with his squire, Thomas de Boys, and Sir Herbert de Morham, a Scottish knight of French extraction, whose courage and manly deportment are commemorated in a contemporary English ballad. Fraser was tried and condemned, after which he suffered the death of a traitor, with all its circumstances of refined cruelty. He was hanged, cut down when still living, and beheaded; his bowels were then

[1] Math. Westminster, p. 456, designates him, "miles pulcherrimæ juventutis."

[2] Barbour, p. 70. Math. Westminster, p. 455.

[3] Scala Chronica, p. 131.

[4] Robertson's Index, p. 135–8. Notes and Illustrations, letter X.

[5] Stat. Account, vol. v. pp. 141, 142. Leland, Coll. vol. i. part ii. p. 543, in other words the Scala Chronicle is in an error in describing Seton as taken prisoner in Kildrummie castle.

[6] Math. Westminster, p. 456.

[7] The old contemporary ballad, printed from the Harleian MS. by Pinkerton, in his Maitland Poems, vol. ii. p. 488, says that Fraser, at the battle of Kirkencliff, besides Stirling, surrendered to Sir Thomas de Multon and to Sir John Jose.

torn out and burned, and his head fixed beside that of Wallace upon London bridge.[1] The trunk was hung in chains, and strictly guarded, lest his friends should remove it. Herbert de Morham, who had been imprisoned and forfeited in 1297, and liberated under the promise of serving Edward in his Flemish war,[2] next suffered death, and with him Thomas Boys. To these victims of Edward's resentment we may add the names of Sir David Inchmartin, Sir John de Somerville, Sir Walter Logan, and many others of inferior note. After the disgusting details of these executions, the reader will be disposed to smile at the remark of a late acute historian, that the execution of the Scottish prisoners is insufficient to load Edward's memory with the charge of cruelty.[3] To complete the ruin of Bruce, it only remained to dispose of his great estates, and to excommunicate him, as guilty of murder and sacrilege. His lordship of Annandale was bestowed on the Earl of Hereford, his maternal estate of Carrick given to Henry Percy, and the Lord Robert Clifford, with others of Edward's nobles, shared the rich English estates, which had long been hereditary in this powerful family.[4]

In the end of February, the Cardinal St Sabinus, the legate of the Pope in England, with great pomp repaired to Carlisle, in which city Edward then kept his head-quarters, and with all those circumstances of terror which such a sentence involved, the Scottish king and his adherents were excommunicated by book, bell, and candle.[5]

Meanwhile, out of the reach of the Papal thunder, and ignorant of the miserable fate of his friends, Bruce, during the winter, remained in the little isle of Rachrin. On the approach of spring, having received some assistance from Christina of the Isles, he began to meditate a descent upon Scotland, and first despatched Sir James Douglas and Sir Robert Boyd on an adventure to the island of Arran. Douglas found it occupied by Sir John Hastings, an English knight, who held the castle of Brodick with a strong garrison; and having laid an ambuscade, he had the good fortune to surprise the under-warden of the castle, and, after killing forty of his soldiers, to make himself master of a valuable cargo of provisions, arms, and clothing. This proved a seasonable supply to the king, who soon after arrived from Rachrin with a fleet of thirty-three galleys, and in his company about three hundred men. Ignorant of the situation of the enemy, he first despatched a messenger from Arran into his own country of Carrick, with instructions, if he found the people well-affected, to light a fire, at a day appointed, upon an eminence near Turnberry castle. When the day arrived, Bruce, who watched in extreme anxiety for the signal, about noon perceived a light in the expected direction, and instantly embarked, steering, as night came on, by the light of the friendly beacon.[6] Meanwhile, his messenger had also seen the fire, and dreading that his master might embark, hastened to the beach, where, on meeting his friends, he informed them that Lord Percy, with a strong garrison, held the castle of Turnberry, that parties of the enemy were quartered in the town, and there was no hope of success. "Traitor," said the king, "why did you light the fire?" "I lighted no fire," he replied; "but observing it at nightfall, I dreaded you might embark, and hastened to meet you."

[1] Math. Westminster, p. 456.

[2] Lord Hailes, p. 15, following Math. Westminster, calls him Herebert de Norham; but the contemporary poem above quoted gives his name Herebert de Morham, which is corroborated by Rymer, Fœdera, new edit. vol. i. part ii. p. 869. Norham is not in Scotland, but Morham is in Haddingtonshire. Math. Westminster, p. 456, says he was "Vir cunctis Scotie formosior et statura eminentior." Morham parish is the smallest in Haddingtonshire, and belonged, under William the Lyon, to a family named Malherbe, who afterwards assumed the name of Morham. Caledonia, vol. ii. p. 537. The ancient fortalice of Morham stood on an eminence near the church, but no vestiges of it remain. Stat. Account, vol. ii. p. 334.

[3] See Notes and Illustrations, letter Y. Fordun a Goodal, vol. ii. p. 236.

[4] Hemingford, p. 224.

[5] Hemingford, p. 226.

[6] Barbour, pp. 83, 84.

Placed in this dilemma, Bruce questioned his friends what were best to be done; and his brother, Sir Edward, declared loudly, that he would follow up his adventure, and that no power or peril should induce him to re-embark. This was said in the true spirit of a knight-errant; but his royal brother, who was playing a game of which the stake was a kingdom, might be allowed to hesitate. His naturally fearless and sanguine temper, however, got the better; and dismissing caution, he determined to remain, and, as it was still night, to attack the English quarters. The plan succeeded. The enemy, cantoned in careless security, in the houses and hamlets round the castle of Turnberry, were easily surprised and put to the sword; while Percy, hearing the tumult, and ignorant of the small number of the Scots, did not dare to attempt a rescue, but shutting himself up in the castle, left a rich booty to the assailants, amongst which were his war horses and his household plate.[1]

There was a romantic interest about Bruce's fortunes, which had a powerful effect upon the female mind, and the hero himself seems to have been willing to avail himself of this influence.[2] He had already received assistance from the Countess of Buchan and Christina of the Isles; and now, on hearing of his success in Carrick, he was joined by a lady, nearly related to him, but whose name has been lost. She brought him, however, a seasonable supply of money and provisions, and a reinforcement of forty men. From her, too, he first learnt the miserable fate of Seton, Athole, and the garrison of Kildrummie; and, during the recital, is said to have vowed deeply that their deaths should not go unrevenged.

Meanwhile his success spread a panic among the English; for although Ayr castle was in the hands of Edward, neither its garrison nor that of Turnberry, under Percy, dared to make head against him. At length, Sir Roger St John marched from Northumberland with a body of a thousand men; covered by this force, Henry Percy, with the remains of his garrison, evacuated Turnberry, and hurried into England;[3] whilst Bruce, unable to oppose St John, retired into the mountainous parts of Carrick. Here the adventurous spirit of James Douglas could not long remain inactive. He knew that Lord Clifford, on whom Edward had bestowed his hereditary domain, held his castle of Douglas with a strong garrison; and having obtained the king's permission, he travelled in disguise into Douglasdale, and, after carefully observing the strength and position of the enemy, discovered himself to Dickson, a faithful servant, in whose house he lay concealed. Here, night after night, did his principal vassals assemble, rejoiced again to find the son of their old lord; and thus, unknown to the English, a little band of determined foes was nursed amongst them, who watched every step they took, and were ready to fall upon them the first moment that promised an advantage. This soon presented itself. The garrison, on Palm Sunday, marched out to the neighbouring church of St Bride, leaving the castle undefended. Some of Douglas's followers, with concealed arms, entered the church along with them, and in a moment when they least suspected, the English heard the cry of "Douglas!" and found themselves attacked both from without and within. After a stout resistance, and much bloodshed, the church was won and many prisoners taken. Having thus cut off the garrison, Douglas first plundered the castle of the arms and valuables which could be carried off. This done, he raised a huge pile of the malt and corn which he found in the stores, staved the casks of wine and other liquors, and threw them on the heap, after which he slew his prisoners, and cast their dead bodies on the pile. He then set fire to this savage hecatomb, and consumed it and the halls of his fathers in the blaze.[4]

[1] 1 Hemingford, vol. i. p. 225.
2 Barbour, p. 105, line 541.

3 Barbour, vol. i. p. 95. Trivet, p. 344.
4 Hume's House of Douglas and Angus, vol. i. pp. 50, 51. Barbour, pp. 100, 101.

This cruel transaction, which is said to have been intended as a sacrifice to the manes of his faithful servant Dickson, who was slain in the church, is still remembered in the tradition of the country by the name of the Douglas' Larder.

This success, however, was more than balanced by a grievous disaster which about this time befell Bruce. He had despatched his brothers, Thomas and Alexander, into Ireland, where they had the good fortune to collect a force of seven hundred men, with which they crossed over to Loch Ryan in Galloway. But their approach to the coast had been watched by Macdowall, a chieftain of that country, who was in the English interest, and as they attempted to make good a landing, he attacked, and completely routed their little army. Many perished in the sea, and the rest were either slain or taken prisoners. Of the prisoners, those of note were Bruce's brothers, Thomas and Alexander, with Sir Reginald Crawford, who were all grievously wounded. Malcolm Mackail, lord of Kantire, along with two Irish reguli or chiefs, were found amongst the slain. Macdowall, with savage exultation, cut off their heads, and presented them, and his illustrious prisoners, bleeding and almost dead, to the king at Carlisle.[1] Edward commanded the two Bruces and Crawford to be instantly executed. Thus, within a few short months, had the king to lament the cruel death of three brothers, that of his dear friends, Seton, Athole, and Fraser; besides the imprisonment of his queen and his daughter.

Deprived of this reinforcement, the king began to be in great difficulties. The English hotly pursued him, and even had the meanness to lay plots for his assassination, whilst the Galwegians endeavoured to hunt him down with bloodhounds.[2] On one of these occasions, when only sixty soldiers were in his company, he made a narrow escape. It was near nightfall, when his scouts informed him that a force of two hundred soldiers were on the way to attack them. He instantly crossed a mountain river hard by, of which the banks were steep and wooded, and drew up his men in a swampy level about two bowshots off. He then commanded them to lie still, while he and Sir Gilbert de la Haye went forward to reconnoitre. The ground was well fitted for defence. A steep path led up from the brink of the river to the summit of the bank, and Bruce took his stand at the gorge, where it was so narrow that the superior numbers of the enemy gave them little advantage. Here he listened for some time, till at length the baying of a hound told him of the approach of the Galwegians; and by the light of the moon he could see their band crossing the river, and pressing up the path. He instantly despatched De la Haye to rouse and bring up his little force, whilst he remained alone to defend the pass. The fierce mountaineers were soon upon him; but, although mounted and armed after their own fashion, they stood little chance against so powerful an adversary as Bruce, clothed in steel, and having the advantage of the ground. One only could attack him at a time; and as he pressed boldly, but blindly forward, he was transfixed in a moment by the spear; whilst his horse, borne down to the earth, and instantly stabbed, blocked up the path in such a way that the next soldier must charge over his body. He, too, with many of his companions, successively, but vainly, endeavoured to carry the pass. They were met by the dreadful sword of the king, which swept round on every side. Numbers now fell, and formed a ghastly barrier around him;

Lord Hailes, vol. ii. p. 20, makes Barbour say, that "about ten persons were made prisoners in the chapel, whom Douglas put to death." I fear, from the expressions of this historian, many more than ten persons were slain in the *Douglas' Larder*.

[1] Math. Westminster, pp. 457, 458. Hemingford, p. 225. Langtoft, with less probability, asserts that Macdowall surprised the two Bruces and their soldiers, on Ash Wednesday, when returning from church, vol. ii. p. 337. The Macdowalls were anciently the most powerful family in Galloway. In Dugdale's Monasticon, vol. ii. p. 1057, we find Roland Macdowall, in 1190, styled "Princeps Gallovidiæ."

[2] Barbour, pp. 108, 111.

so that, on the approach of his men, the Galwegians drew off, and gave up the pursuit. When the soldiers came up, they found Bruce wearied, but unwounded, and sitting on a bank, where he had cast off his helmet to wipe his brow, and cool himself in the night air. In this manner, partly by his own valour, and partly from the private information which he received from those kindly disposed to him, he escaped the various toils with which he was beset; and as he still counted amongst his party some of the bravest and most adventurous soldiers in Scotland, it often happened, that when his fortunes seemed sinking to the lowest ebb, some auspicious adventure occurred, which reanimated the hopes of the party, and encouraged them to persevere. The castle of Douglas had been rebuilt by the English. It was again attacked by its terrible master, the "Good Sir James;" and although he failed in getting it into his hands, its captain was slain and a great part of its garrison put to the sword;[1] after which, having heard that the Earl of Pembroke, with a large force, was marching against the king, who still lay in the mountainous parts of Carrick, Douglas joined his sovereign, and awaited their advance.

Bruce had now been well trained. He was familiarly acquainted with this partisan kind of warfare; and it was his custom, when keenly pursued, to make his soldiers disperse in small companies, first appointing a place of rendezvous, where they should reassemble when the danger was over. Trusting to this plan, and to his own personal courage and skill, he did not hesitate, with only four hundred men, to await the attack of Pembroke's army, which had been reinforced, by John of Lorn, with eight hundred Highlanders, familiar with war in a mountainous country, and well trained to act in the moors and morasses of this wild region. Lorn is, moreover, reported to have taken along with him a large bloodhound, which had once belonged to the king, and whose instinctive attachment was thus meanly employed against its old master.[2] The Highland chief contrived so successfully to conceal his men, that Bruce, whose attention was fixed chiefly on Pembroke's force, found his position unexpectedly attacked by Lorn in the rear, and by the English, with whom was his own nephew, Randolph, in the front. His brother, Edward Bruce, and Sir James Douglas, were now with him; and, after making head for a short time, they divided their little force into three companies, and dispersed amongst the mountains. He trusted that he might thus have a fairer chance of escape; but the bloodhound instantly fell upon the track of the king; and the treacherous Lorn with his mountaineers had almost run him down, when the animal was transfixed by an arrow from one of the fugitives, and Bruce with great difficulty escaped.[3] In this pursuit, it is said, that with his own hand he slew five of the enemy; which, as the men of Lorn were probably half-naked and ill-armed mountaineers, who had to measure weapons with an adversary fully accoutred, and of uncommon personal strength, is in no respect unlikely to be true. Bruce, however, had the misfortune to lose his banner, which was taken by Randolph, then fighting in the ranks of the English.[4] It was an age of chivalrous adventure; the circumstances in which the king was placed when related even in the simplest manner, are marked by a deep and romantic interest; and, renouncing everything in the narrative of his almost contemporary biographer, which looks like poetical embellishment, the historian must be careful to omit no event which is consistent with the testimony of authentic writers, with the acknowledged prowess of this great man, and the character of the times in which he lived.

Not long after this adventure, Bruce attacked and put to the sword a party of two hundred English soldiers, carelessly cantoned at a small distance from the main army; and the Earl of Pembroke, after an unsuccessful skirmish

[1] Barbour, p. 122.

[2] Barbour, p. 124.

[3] Ibid. pp. 129, 132.

[4] Ibid.

in Glentruel, where the wooded and marshy nature of the country incapacitated his cavalry from acting with effect, became disgusted with his ill success, and retreated to Carlisle.[1] The king instantly came down upon the plains of Ayrshire—made himself master of the strengths of the country—and reduced the whole of Kyle, Carrick, and Cunningham, to his obedience; while Sir James Douglas, ever on the alert, attacked and discomfited Sir Philip Mowbray,[2] who, with a thousand men, was marching from Bothwell into Kyle, and with difficulty escaped to the castle of Innerkip, then held by an English garrison. By these fortunate events, the followers of Bruce were inspired with that happy confidence in his skill and courage, which, even in the very different warfare of our own days, is one principal cause of success; and he soon found his little army reinforced by such numbers, that he determined, on the first opportunity, to try his strength against the English in an open field.

Nor was this opportunity long of presenting itself. The Earl of Pembroke in the beginning of May, and soon after the defeat of Mowbray, advanced, with a body of men-at-arms into Ayrshire, and came up with the enemy at Loudon Hill. It is said that, in the spirit of the times, Pembroke challenged the Scottish king to give him battle; and that, having sent word that he intended to march by Loudon Hill, Bruce, who was then with his little army at Galston, conceiving the ground to be as favourable as could be chosen, agreed to meet him at Loudon Hill on the 10th of May. The road, at that part of Loudon Hill where he determined to wait the advance of the English, led through a piece of dry level ground about five hundred yards in breadth, which was bounded on both sides by extensive morasses; but, deeming that this open space would give the English cavalry too much room to act, he took the precaution to secure his flanks by three parallel lines of deep trenches, which he drew on either hand from the morasses to the road, leaving an interval sufficient for the movements of a battalion of six hundred spearmen, the whole available force which Bruce could then bring into the field. A rabble of ill-armed countrymen and camp-followers were stationed, with his baggage, in the rear.[3] Early in the morning, the king, who was on the watch, descried the advance of Pembroke, whose force he knew amounted to three thousand cavalry. Their appearance, with the sun gleaming upon the coat armour of the knights, the steel harness of the horses, and the pennons and banners of various colours, waving above the wood of spears, was splendid and imposing contrasted with Bruce's small force.[4] Yet, confident in the strength of his position, he calmly awaited their attack. The result entirely justified his expectations, and proved how dreadful a weapon the long Scottish spear might be made, when skilfully directed and used against cavalry. Pembroke had divided his force into two lines; and, by his orders, the first line put their spears in rest, and charged the battalion of the Scots at full gallop. But they made no impression. The Scottish soldiers stood perfectly firm; many of the English were unhorsed and slain; and, in a short time, the first division, thrown into disorder, fell back upon the second, which in its turn, as the Scots steadily advanced with their extended spears, began to waver, to break, and at last to fly. Bruce was not slow to follow up his advantage, and completely dispersed the enemy, but without much slaughter or many prisoners, the Scots having no force in cavalry. The victory, however, had the best effect. Pembroke retired to the castle of Ayr. The Scottish army acquired

[1] Barbour, p. 149.

[2] Ibid. vol. i. p. 153. Major, with more probability, I think, calls him John Moubray. In Rymer, we meet with a John, but not with a Philip Moubray, amongst Edward's barons. Rymer, vol. i. p. 2, new edit. p. 966.

[3] The account of this battle is taken entirely from Barbour, p. 155. The English historians all allow that Pembroke was beaten, but give no particulars.

[4] Barbour, p. 157.

additional confidence; its ranks were every day recruited; and, awaking from their foolish dreams of confidence and superiority, the English began to feel and to dread the great military talents which the king had acquired during the constant perils to which he had been exposed. Only three days after the retreat of Pembroke, he attacked, and with great slaughter defeated, Ralph Monthermer, earl of Gloucester, another of Edward's captains, whom he so hotly pursued, that he compelled him to shut himself up in the castle of Ayr, to which he immediately laid siege.[1] These repeated successes greatly incensed Edward; and, although much debilitated by illness, he summoned his whole military vassals to meet him at Carlisle, three weeks after the Feast of John the Baptist, and determined to march in person against his enemies. Persuading himself that the virulence of his disease was abated, he offered up the litter, in which hitherto he had been carried, in the cathedral at Carlisle, and mounting on horseback, proceeded with his army towards Scotland. But his strength rapidly sunk. In four days he proceeded only six miles; and, after reaching the small village of Burgh-upon-Sands, he expired on the 7th of July 1307,[2] leaving the mighty projects of his ambition, and the uneasy task of opposing Bruce, to a successor whose character was in every way the opposite of his father's. The last request of the dying monarch was characteristic. He commanded that his heart should be conveyed to Jerusalem, and that his body, after having been reduced to a skeleton, by a process which, if we may credit Froissart, the king himself described,[3] should be carried along with the army into Scotland, there to remain unburied till that devoted country was entirely subdued.

Edward the Second, who succeeded to the crown of England in his twenty-fourth year, was little calculated to carry into effect the mighty designs of his predecessor. His character was weak, irresolute, and headstrong; and the first steps which he took evinced a total want of respect for the dying injunctions of his father. He committed his body to the royal sepulchre at Westminster; he recalled from banishment Piers Gaveston, his profligate favourite; and after receiving at Roxburgh the homage of some of the Scottish barons in the interest of England, he pushed forward as far as Cumnock, on the borders of Ayrshire—appointed the Earl of Pembroke Guardian of Scotland — and, without striking a blow, speedily returned into his own dominions.[4]

Upon the retreat of the English, the king and his brother, Sir Edward Bruce, at the head of a powerful army, broke in upon Galloway, and commanded the inhabitants to rise and join his banner. Where this order was disobeyed, the lands were given up to military execution; and Bruce, who had not forgotten the defeat and death of his two brothers by the men of this wild district, laid waste the country with fire and sword, and permitted every species of plunder,[5] in a

1 Scala Chronica, p. 132. Math. Westminster, p. 458. Trivet, p. 346. Hemingford, vol. i. p. 237.

2 Rymer, Fœd. p. 1018, vol. i. part ii. new edit. Prynne's Ed. I. p. 1202.

3 Froissart, vol. i. chap. xxvii. When dying he made his eldest son be called, and caused him, in the presence of his barons, and invoking all the saints, to swear that, as soon as he was dead, he would boil his body in a caldron, till the flesh was separated from the bones, after which he should bury the flesh, but keep the bones; and as often as the Scots rose in rebellion against him, he should assemble his army, and carry with him the bones of his father.

4 Hemingford, p. 238, vol. i. Tyrrel, vol. iii. p. 224. On Edward's coming to Carlisle, he was met by Patrick, earl of Dunbar, who swore homage to him. Tyrrel is in a mistake in saying he quitted King Robert's interest. He had never joined it. Hemingford erroneously states that Edward only advanced to Roxburgh, and then returned. After the death of Edward the First, we unfortunately lose the valuable and often characteristic historian, Peter Langtoft, as translated by Robert de Brunne, one of Hearne's valuable publications. Edward the Second was, on 6th August, at Dumfries; on 28th August, at Cumnock; on 30th, same month, at Tinwald and Dalgarnock. On his return south, on 4th September, at Carlisle; on 6th, at Bowes in Yorkshire.

5 Chron. Lanercost. pp. 210, 212. Rymer, Fœdera, vol. iii. p. 14.

spirit of cruel, but, according to the sentiments of that age, not unnatural retaliation.

Governed by caprice, and perpetually changing his councils, the King of England removed Pembroke from the guardianship of Scotland, and in his place appointed John de Bretagne, earl of Richmond, and nephew of the late king.[1] Full power was intrusted to him over all ranks of persons; the sheriffs of Northumberland, Cumberland, Westmoreland, and Lancashire, were commanded to assemble the whole military force of their respective counties, under the orders of the guardian; the Earl of Dunbar, Robert de Keith, Alexander de Abernethy, and several other powerful barons, as well English as Scottish, were enjoined to march along with the English army, and to rescue Galloway from the ravages of Bruce; while orders were issued to the sheriffs of London for the transporting to Berwick the provisions, military stores, and arms requisite for the troops, with certain large cross-bows, called *balistæ de turno*, employed in the attack and defence of fortified places.[2]

At the head of this army, the Earl of Richmond attacked Bruce, and compelled him to retreat to the north of Scotland.[3] His brother, Edward Bruce, the Earl of Lennox, Sir Gilbert de la Haye, and Sir Robert Boyd, accompanied the king, but Sir James Douglas remained in the south, for the purpose of reducing the forest of Selkirk and Jedburgh.[4] On reaching the Mounth, the name anciently given to that part of the Grampian chain which extends from the borders of the district called the Mearns to Loch Rannach, Bruce was joined by Sir Alexander Fraser, along with his brother, with all their power; and from them he learnt that Comyn, the Earl of Buchan, with his own nephew, Sir David de Brechin, and Sir John Mowbray, were assembling their vassals, and had determined to attack him. This news was the more unwelcome, as a grievous distemper began at this time to prey upon the king, depriving him of his strength and appetite, and for a time leaving little hopes of his recovery. As the soldiers of Bruce were greatly dispirited at the sickness of the king, Edward, his brother, deemed it prudent to avoid a battle, and entrenched himself in a strong position near Slaines, on the north coast of Aberdeenshire.

After some slight skirmishes between the archers of both armies, which ended in nothing decisive, provisions began to fail; and as the troops of Buchan daily increased, the Scots retired to Strabogy, carrying their king, who was still too weak to mount his horse, in a litter.[5] From this last station, as their royal charge began slowly to recover his strength, the Scots returned to Inverury; while the Earl of Buchan, with a body of about a thousand men, advanced to Old Meldrum, and Sir David de Brechin pushed on with a small party, and suddenly attacked and put to flight some of Robert's soldiers, carelessly cantoned in the outskirts of the town.[6] Bruce took this as a military affront, and instantly rising from his litter, called for his horse and arms. His friends remonstrated, but the king mounted on horseback, and although so weak as to be supported by two men on each side, he led on his soldiers in person, and instantly attacking the Earl of Buchan with great fury,[7] routed and dispersed his army, pursuing them

[1] Fœdera, vol. iii. p. 10.

[2] Ibid. pp. 14, 16.

[3] An anonymous MS. Chronicle, quoted by Tyrrel, vol. iii. p. 225, asserts that John of Bretagne, with an army, attacked King Robert about Martinmas, put his forces to flight, and compelled him to retreat to the bogs and mountains. No other English historian, however, records this defeat, and neither Barbour nor Fordun say a word of the matter. Ker plausibly conjectures that Robert only retreated before an army greatly superior to his own; and Barbour represents the king's expedition into the north, not as the consequence of any defeat, but as the result of a plan for the reduction of the northern parts of Scotland.

[4] Barbour, p. 162.

[5] Barbour, pp. 170, 171.

[6] Fordun a Hearne, vol. iv. p. 1004. Barbour, p. 172. It is said that the town of Inverury received its charter as a royal burgh from the king after this victory. Stat. Acc. vol. vii. p. 331.

[7] Fordun a Hearne, vol. iv. ut supra. Barbour, p. 174.

as far as Fivy, on the borders of Buchan. Brechin fled to Angus, and shut himself up in his own castle of Brechin, which was soon after besieged and taken by the Earl of Athole, whose father had been executed in England. Into Buchan, the territory of Comyn, his mortal enemy, Bruce now marched, and took ample revenge for all the injuries he had sustained, wasting it with fire, and delivering it over to unbridled military execution. Barbour informs us, that for fifty years after, men spoke with terror of the *harrying of Buchan;* and it is singular that, at this day, the oaks which are turned up in the mosses bear upon their trunks the blackened marks of being scathed with fire.[1]

The army of the king now rapidly increased, as his character for success and military talent became daily more conspicuous. His nephew, Sir David de Brechin, having been pardoned and admitted to favour, joined him about this time with his whole force; and pursuing his advantage, he laid siege to the castle of Aberdeen.[2] Edward was now at Windsor, and, alarmed at such progress, he despatched an expedition to raise the siege of Aberdeen, and commanded the different seaports to fit out a fleet, which should co-operate with his land forces. But these preparations were too late; for the citizens of Aberdeen, who had early distinguished themselves in the war of liberty, and were warmly attached to the cause, encouraged by the presence of the royal army, and assisted by some of its best leaders, assaulted and carried the castle by storm, expelled the English, and levelled the fortifications with the ground.

From Aberdeen the king held his victorious progress into Angus; and here new success awaited him, in the capture of the castle of Forfar, at this time strongly garrisoned by the English. It was taken by escalade during the night, by a soldier named Philip, the forester of Platane, who put all the English to the sword; and the king, according to his usual policy, instantly commanded the fortifications to be destroyed.[3]

The vicinity of Bruce's army now threatened the important station of Perth; and the English king, in undissembled alarm, wrote to the citizens, extolling their steady attachment to his interest, and commanding them to fortify their town against his enemies.[4] Ever varying in his councils, Edward soon after this dismissed the Earl of Richmond from his office of Governor of Scotland, and appointed in his place, as joint guardians, Robert de Umfraville, earl of Angus, William de Ross of Hamlake, and Henry de Beaumont.[5] John Comyn, earl of Buchan, and various other Scottish barons still attached to the English interest, were commanded to retain the charge of the various districts already intrusted to their care; and in order to encourage them in their attachment, the king intimated his intention of leading an army into Scotland in the month of August, and directed his chamberlain, Cotesbache, to lay in provisions for the troops; but the intended expedition never proceeded further. The orders to Cotesbache, which are contained in the Fœdera, acquaint us with an early source of Scottish wealth. Three thousand salted salmon were to be furnished to the army.[6]

Satisfied for the present with his northern successes, Bruce despatched his brother Edward into Galloway. This district continued obstinately to resist his authority, and was at present occupied by the English troops under the command of Sir Ingelram de Um-

1 Statistical Account, vol. xi. p. 420.

2 The battle of Inverury was fought on the 22d May 1308, and Edward's letter for the relief of Aberdeen is dated the 10th July 1308. Rotuli Scotiæ, vol. i. p. 55.

3 Barbour, p. 175. This is the same as the forest of Plater. It was not far from Finhaven; and the office of forester proves Philip to have been a man of some consequence, as, by a charter of Robert II., we find a grant of the lands of Fothnevyn (Finhaven) to Alexander de Lindesay, with the office of forester of the forest of Plater, which David de Annand resigned. Alexander de Lindesay was a baron of a noble family. Jamieson's Notes to the Bruce, p. 440.

4 Rotuli Scotiæ, vol. i. p. 56.

5 Ibid.

6 Fœdera, vol. iii. p. 95.

fraville, a Scottish baron, who, in 1305, had embraced the English interest,[1] and Sir John de St John. Umfraville and St John, assisted by Donegal, or Dougal,[2] probably the same powerful chieftain who, in a former year, had defeated Bruce's brothers, collected a force of twelve hundred men, and encountered Edward Bruce at the Water of Crie. The English and the Galwegians, however, were unable to withstand the attack of the Scots. Their ranks were immediately thrown into confusion, two hundred were left dead on the field, and the rest dispersed amongst the mountains; while Umfraville, with his companion St John, with difficulty escaped to Butel, a castle on the sea-coast of Galloway.[3]

After this successful commencement, Edward Bruce overran the country, compelled the inhabitants to swear allegiance to his brother, levied heavy contributions, and had already taken and destroyed many of the castles of that wild district, when he received intelligence that John de St John was again in Galloway, at the head of fifteen hundred men. Upon his near approach, Bruce discovered, by his scouts, that it was the design of the English to make a forced march, and attack him by surprise. The courage of this brave soldier, bordering on temerity, now impelled him to an attempt, which many would have pronounced desperate. He stationed his foot soldiers in a straight valley, strongly fortified by nature,[4] and, early in the morning, under the cover of a thick mist, with fifty knights and gentlemen, well armed and mounted, he made a retrograde movement, and gained the rear of the English, without being perceived by them. Following their line of march about a bow-shot off, his intention seems to have been, to have allowed St John to attack his infantry, and then to have charged them in the rear; but before this could be effected, the mist suddenly cleared away, and Bruce's little party were discovered when retreat was impossible. In this desperate situation, Edward hesitated not to charge the English, which he did with so much fury, that their ranks were shaken, and many of their cavalry unhorsed. Before they could recover so far as to discern the insignificant numbers of their enemy, he made a second, and soon after a third charge, so sharp and well sustained, that the confusion became general and irretrievable; and believing, probably, that the Scottish troop was only the advance of a greater force, the English broke away in a panic, and were entirely routed. Sir Alan de Cathcart, one of Edward Bruce's companions in this spirited enterprise, recounted the particulars to Barbour, the affectionate biographer of Bruce, who characterises it in simple but energetic language as a right fair point of chivalry.[5] This, however, was not the only success. Donald of the Isles collecting a large force of his Galwegian infantry, and, assisted by Sir Roland of Galloway,[6]

[1] Rotuli Scotiæ, vol. i. p. 56.

[2] It seems probable that Donegal, Dongall, Donald, and Dougal are all the same name. These Macdowalls were probably descended from the Lords of the Isles, who were Lords of Galloway; and the bitter hatred which they seem to have entertained against Bruce, originated in all probability from the circumstance, that David the youngest son of Malcolm III., when he possessed Northumberland, Cumberland, Westmoreland, and the whole of Scotland south of the Forth and the Clyde, except the earldom of Dunbar, bestowed the heiress of Ananderdale, in Galloway, upon Robert de Brus, a Norman baron, and the ancestor of the royal family. The kingdom of Galloway contained Ananderdale and Carrick; and hence these proud Galwegian princes considered the Bruces from the first as strangers and intruders, who had wrested from them part of their hereditary dominions. See Macpherson's Geographical Illustrations of Scottish History, sub voce Galloway.

[3] Ker's Bruce, vol. i. p. 345.

[4] "His small folk gait he ilk deil,
Withdraw thaim *till a strait tharby*,
And he raid furth with his fifty."
—Barbour, p. 183.

"Withdraw thaim till a strait tharby." Lord Hailes, and Ker, p. 346, from this expression, conclude that Bruce made his infantry cast up intrenchments. But for this there is no authority. He ordered his men merely to withdraw into a strait, or, in other words, made them take up a position in narrow ground.

[5] Barbour, p. 183.

[6] "Quendam militem nomine Rolandum." In Rymer, vol. i. new edition, part ii. p. 772, we find mention made of Rolandus Galwalen-

and other fierce chiefs of that district, made head against the royalists; but Edward Bruce, flushed with his recent victories, encountered them on the banks of the Dee, dispersed their army, with the slaughter of Roland and many of the chiefs, and in the pursuit took prisoner the Prince of the Isles.[1] This defeat, which happened on the 29th of June 1308, led to the entire expulsion of the English. It is said that in a single year this ardent and indefatigable captain besieged and took thirteen castles and inferior strengths in Galloway, and completely reduced the country under the dominion of the king.[2]

During these repeated victories of his brother, Bruce received intelligence that his indefatigable partisan, Sir James Douglas, having cut off the garrison of Douglas castle, which he had decoyed into an ambuscade, had slain the governor, Sir John de Webeton, compelled the castle to surrender, and entirely destroyed the fortifications.[3] Douglas soon after reduced to obedience the forests of Selkirk and Jedburgh; and during his warfare in those parts had the good fortune to surprise and take prisoners, Thomas Randolph, the king's nephew, and Alexander Stewart of Bonkill, both of whom were still attached to the English interest.[4] Douglas, to whom Stewart was nearly related, treated his noble prisoners with kindness, and soon after conducted Randolph to the king. "Nephew," said Bruce, "you have for a while forgotten your allegiance, but now you must be reconciled." "I have been guilty of nothing whereof I need be ashamed," answered Randolph. "You arraign my conduct; it is yourself who ought to be arraigned. Since you have chosen to defy the King of England, why is it that you debate not the matter like a true knight, in a pitched field?" "That," said Bruce, with great calmness, "may come hereafter, and it may be ere long. Meantime, since thou art so rude of speech, it is fitting thy proud words meet their due punishment, till thou knowest better my right and thine own duty." Having thus spoken, he ordered Randolph into close confinement.[5] It is pleasing to know that this lesson had its effect; for, after a short imprisonment, the young baron joined the party of the king, who created him Earl of Moray. Nor had he any reason to repent his forgiveness or generosity. Randolph soon displayed high talents for war; he became one of the most illustrious of Bruce's assistants in the liberation of his country, and ever after served his royal master with unshaken fidelity.

The king had never forgotten the attack made upon him by the Lord of Lorn, soon after the defeat at Methven, and he was now able to requite that fierce chief for the extremities to which he had then reduced him. Accordingly, after the junction of Douglas with his veteran soldiers, he invaded the territory of Lorn, and arrived at a narrow and dangerous pass, which runs along the bottom of Cruachin Ben, a high and rugged mountain between Loch Awe and Loch Etive. The common people of Scotland were now, without much exception, on the side of Bruce; and although, in many districts, when kept down by their lords, they dared not join him openly, yet in conveying intelligence of the motions and intentions of his enemies, they were of essential service to the cause. In this manner he seems to have been informed that an ambuscade had been laid for him by the men of Lorn, in the Pass of Cruachin Ben, through which he intended to march. The Lord of Lorn himself remained with his galleys in Loch Etive, and waited the result. The nature of the ground was highly favourable for this design of Lorn; but it was entirely defeated by the dispositions of Bruce. Having

sis Dominus. This Roland may have been the grandson of Roland, prince of Galloway.

[1] Fordun a Hearne, p. 1005.

[2] Barbour, p. 186.

[3] Barbour, pp. 163, 164. I conjecture that the baron, whom Barbour calls Sir John of Webeton, was Johannes de Wanton, one of Edward's barons, mentioned in Rymer, vol. i. p. 630, new edition.

[4] Barbour, pp. 187, 188.

[5] Barbour, p. 189.

divided his army into two parts, he ordered Douglas, along with one division, consisting entirely of archers, who were lightly armed, to make a circuit round the mountain, and to take possession of the rugged high ground above the Highlanders. Along with Douglas were Sir Andrew Gray, Sir Alexander Fraser, and Sir William Wiseman. This manœuvre was executed with complete success; and the king, having entered the pass, was, in its narrow gorge, immediately attacked by the men of Lorn, who, with loud shouts, hurled down stones upon him, and after discharging their missiles, rushed on to a nearer attack. But their opponents, whose soldiers were light-armed, and prepared for what occurred, met his enemies more than half-way; and, not content with receiving their charge, assaulted them with great fury. Meanwhile Douglas had gained the high ground, and discharging a shower of arrows, attacked the Highlanders in the rear, and threw them into complete disorder. After a stout resistance, the men of Lorn were defeated with great slaughter; and their chief, the Lord of Lorn, had the mortification, from his galleys, to be an eye-witness of the utter rout of his army.[1]

He immediately fled to his castle of Dunstaffnage; and Bruce, after having ravaged the territory of Lorn, and delivered it to indiscriminate plunder, laid close siege to this palace of the Island Prince, which was strongly situated upon the sea-coast. In a short time the Lord of Lorn surrendered his castle, and swore homage to the king; but his son, John of Lorn, fled to his ships, and continued in the service of England.[2]

Whilst everything went thus successfully in the field, the Scottish king derived great advantage from the fluctuating and capricious line of policy which was pursued by his opponent. In less than a year Edward appointed six different governors in Scotland;[3] and to none of these persons, however high their talents, was there afforded sufficient time to organise, or carry into effect, any regular plan of military operations. His enemy, on the other hand, betrayed no want of activity, and about this time laid siege to Rutherglen, in Clydesdale—a castle considered of such importance by Edward that he despatched Gilbert de Clare, earl of Gloucester, with a strong force, to raise the siege; but either the expedition never departed, or it was too late in its arrival; for Rutherglen, in the beginning of the next year, appears to have been one of the castles in the hands of the Scots.[4] Indeed, Edward's measures seem to have mostly evaporated in orders and preparations, whilst he himself, occupied with the pleasures of the court, and engrossed by his infatuated fondness for his favourite, Piers Gaveston, dreamt little of taking the field. Alarmed at last by the near approach of the Scottish army to the English border, he consented to accept the mediation of Philip, king of France, who despatched Oliver de Roches to treat with Bruce, and Lamberton, bishop of St Andrews, upon measures preparatory to a reconciliation. This able and intriguing prelate, on renewing his homage to the English king, had been liberated from his imprisonment, and permitted to return to Scotland; but his fellow-prisoner, Wishart, the bishop of Glasgow, considered too devoted to his country, was still kept in close confinement. De Roches' negotiation was soon followed by the arrival of the king's brother, Lewis, count of Evreux, and Guy, bishop of Soissons, as ambassadors, earnestly persuading to peace; commissioners from both countries were in consequence appointed, and a truce was concluded, which, if we

[1] Barbour, pp. 191, 192. 23d August 1308.

[2] Ibid. p. 192. Fordun a Hearne, p. 1005. Fordun says that Alexander of Argyle fled to England, where he soon after died, and Lord Hailes follows his narrative; but it is contradicted by Barbour, who is an earlier authority than Fordun. John of Argyle was with his men and his ships in the service of Edward the Second on 4th October 1308. Rotuli Scotiæ, m. 13, p. 58.

[3] Rymer, Fœdera, vol. iii. pp. 94, 160, 161. This last deed ought to have been dated 16th August 1308, instead of 1309.

[4] Rotuli Scotiæ, m. 12, p. 60. See Notes and Illustrations, letter Z.

may believe Edward, was ill observed by the Scots.[1] A trifling discovery of an intercepted letter clearly shewed that the King of France secretly favoured the Scottish king. The Sieur de Varrennes, Philip's ambassador at the English court, openly sent a letter to Bruce under the title of the Earl of Carrick; but he intrusted to the same bearer secret despatches, which were addressed to the King of Scots. Edward dissembled his indignation, and contented himself with a complaint against the duplicity of such conduct.[2]

Nearly a whole year after this appears to have been spent by this monarch in a vacillating and contradictory policy with regard to Scotland, which was calculated to give every advantage to so able an adversary as Bruce. Orders for the muster of his army, which were disobeyed by some of his most powerful barons—commissions to his generals to proceed against his enemies, which were countermanded, or never acted upon—promises to take the field in person, which were broken almost as soon as made—directions, at one time, to his lieutenant in Scotland to prosecute the war with the greatest vigour, and these in a few days succeeded by a command to conclude, and even, if required, to purchase a truce;[3]—such is the picture of the imbecility of the English king, as presented by the public records of the time.

To this everything in Scotland offered a striking contrast. Towards the end of the year 1309, on the 24th February, the prelates and clergy of Scotland held a general council at Dundee, and declared that Robert, lord of Annandale, the competitor, ought, by the ancient laws and customs of that country, to have been preferred to Baliol in the competition for the crown; for which reason they unanimously recognised Robert Bruce, then reigning, as their lawful sovereign. They engaged to defend his right, with the liberties and independence of Scotland, against all opponents; and they declared all who should contravene the same to be guilty of treason against the king and the nation.[4] It seems probable that these resolutions of the clergy were connected with the deliberations of a parliament which assembled at the same time, and in which an instrument of similar import was drawn up and signed by the two remaining Estates, although no record of such proceedings remains. These solemn transactions gave strength to the title of Bruce, and increased a popularity which was already great. The spirit of the king had infused itself into the nobility, and pervaded the lowest ranks of the people—that feeling of superiority, which a great military commander invariably communicates to his soldiers, evinced itself in constant and destructive aggressions upon the English marches; and upon the recall of the Earl of Hereford and Lord Robert Clifford from the interior of Scotland, they were necessitated to advance a sum of money before their enemies would consent to a truce.[5] On the resumption of hostilities, Bruce advanced upon Perth, and threatened it with a siege. This town had been strongly fortified by the English, and was intrusted to John Fitz-Marmaduke and a powerful garrison. Edward was at last roused into personal activity. He ordered a fleet to sail to the Tay—he issued writs for levies of troops for its instant relief[6]—and he commanded his whole military vassals to assemble at Berwick on the 8th of September, to proceed immediately against his enemies. Disgusted with the presence of his favourite, Gaveston, some of the great

[1] Rymer, vol. iii. p. 147, 30th July 1309. Tyrrel asserts, vol. iii. p. 235, that the Scots broke the truce at the instigation of the King of France, but does not give his authority.

[2] Rymer, vol. iii. p. 150. The King of France himself, in writing to Edward, speaks of the "King of Scots and his subjects." Fœdera, vol. iii. p. 215.

[3] Hemingford, vol. i. p. 246. Rotuli Scotiæ, vol. i. p. 71.

[4] Instrument in the General Register House, Edinburgh.

[5] Hemingford, ut supra. Rotuli Scotiæ, vol. i. p. 80. The truce was to last till Christmas, and was afterwards prolonged till Midsummer. Tyrrel, vol. iii. p. 235.

[6] Rotuli Scotiæ, vol. i. pp. 83, 84.

barons refused to repair in person to the royal standard; yet a powerful army assembled, and the Earls of Gloucester and Warrene, Lord Henry Percy, Lord James Clifford, and many other nobles and barons, were in the field.[1] With this great force, Edward, in the end of autumn, invaded Scotland; and Bruce, profiting by the lessons of former years, and recollecting the disastrous defeats of Falkirk and Dunbar, avoided a battle. It happened that Scotland was this year visited by a famine unprecedentedly severe; and the king, after driving away the herds and flocks into the narrow straits and valleys, retired, on the approach of the English, to the woods, and patiently awaited the distress which he knew the scarcity of forage and provisions must entail upon the enemy. The English king marched on from Roxburgh, through the forests of Selkirk and Jedburgh to Biggar, looking in vain for an opponent. From this he penetrated to Renfrew,[2] and, with a weak and injudicious vengeance, burnt and laid waste the country, so that the heavy-armed cavalry, which formed the strength of his army, soon began to be in grievous distress; and, without a single occurrence of moment, he was compelled to order a retreat, and return to Berwick, where he spent the winter. Upon the retreat of the English, Bruce and his soldiers, leaving their fastnesses, broke down upon Lothian;[3] and Edward, hearing of the reappearance of his enemies, with a great part of his forces again entered Scotland; but this second expedition concluded in the same unsatisfactory manner; whilst a third army, equally formidable in its numbers and equipment, which was intrusted to his favourite, the Earl of Cornwall, penetrated across the Firth of Forth, advanced to Perth, and for some time anxiously endeavoured to find an enemy;[4] but the Scots pursued their usual policy, and Gaveston returned with the barren glory of having marched over a country where there was no one to oppose him.[5] A fourth expedition, conducted by the Earls of Gloucester and Surrey, penetrated into Scotland by a different route, marched into the forest of Selkirk, and again reduced that province under a short-lived obedience to England.[6]

On the return of the English king to London, Robert collected an army, and gratified his soldiers, who had so long smarted under oppression, by an invasion of that country on the side of the Solway, in which he burnt and plundered the district round Gillsland, ravaged Tynedale, and, after eight days' havoc, returned with much booty into Scotland. Edward, in a letter to the Pope, complained in bitter terms of the merciless spirit evinced by the Scottish army during this invasion;[7] but we must recollect that this cruel species of warfare was characteristic of the age; and in Robert, whose personal injuries were so deep and grievous, who had seen the captivity of his queen and only child, and the death and torture of his dearest relatives and friends, we are not to be surprised if, in those dark days, revenge became a pleasure, and retaliation a duty. Not satisfied with this, and aware that the English king was exclusively engaged in contentions with his barons, Bruce and his army, in the beginning of September, again entered England by the district of Redesdale, carried fire and sword through that country as far as Corbridge, then broke with much fierceness and rapacity into Tynedale,[8] ravaged the bishopric of Durham, and, after levying contributions for fifteen days, and enriching themselves

[1] Hemingford, vol. i. p. 247.

[2] Ker is in an error in asserting that there is no evidence of Edward's having penetrated to Renfrew. The proof is in the Rotuli Scotiæ, vol. i. p. 103.

[3] Chron. Lanercost, p. 214.

[4] Chron. Lanercost, p. 214, ut supra.

[5] Hemingford, vol. i. p. 248.

[6] Chron. de Lanercost, ut supra. Lord Hailes, vol. ii. 4to, p. 31, has omitted these three last-mentioned expeditions.

[7] Fœdera, vol. iii. p. 284. The expedition, according to the Chronicle of Lanercost, p. 216, took place in the middle of August.

[8] Edward, in his epistle to the Pope, compares them to foxes. Rymer's Fœdera, vol. iii. p. 283. "Ad instar vulpium."

with spoils and captives, marched back without opposition into Scotland.[1] The miseries suffered from these invasions, and the defenceless state of the frontier, induced the people of Northumberland and the lord marchers to purchase a short truce from the Scottish king,—a circumstance strongly indicative of the increasing imbecility of the English government.[2]

On his return, Bruce determined to besiege Perth, and sat down before it; but, owing to the strength of the fortifications, it defied for six weeks all the efforts of his army. It had been intrusted to the command of William Olifant, an Anglicised Scot, to whom Edward, in alarm for so important a post, had promised to send speedy succour;[3] but a stratagem of the king's, well planned and daringly executed, gave Perth into the hands of the Scots before such assistance could arrive. The care of Edward the First had made Perth a place of great strength. It was fortified by a high wall, defended at intervals by stone towers, and surrounded by a broad deep moat full of water. Bruce, having carefully observed the place where the fosse was shallowest, provided scaling ladders, struck his tents, and raised the siege. He then marched to a considerable distance, and having cheated the garrison into insecurity by an absence of eight days, he suddenly returned during the night, and reached the walls undiscovered by the enemy. The king in person led his soldiers across the moat, bearing a ladder in his hand, and armed at all points. The water reached his throat; but he felt his way with his spear, waded through in safety, and was the second person who fixed his ladder and mounted the wall. A little incident, related by Barbour, evinces the spirit which the example communicated to his companions, and the comparative poverty of the Scottish towns in those times. A French knight was present in the Scottish army, and observing the intrepidity with which Bruce led his soldiers, he exclaimed, "What shall we say of our French lords, who live at ease in the midst of feasting, wassail, and jollity, when so brave a knight is here putting his life in hazard to win a miserable hamlet![4]" So saying, he threw himself into the water with the gay valour of his nation, and having passed the ditch, scaled the walls along with the king and his soldiers. So complete was the surprise, that the town was almost instantly taken. Every Scotsman who had joined the English interest was put to the sword, but the English garrison were spared,[5] and the king contented himself with the plunder of the place and the total demolition of its fortifications.

In the midst of these continued successes of Bruce, the measures of the English king presented a striking contrast to the energetic administration of his father. They were entirely on the defensive. He gave orders, indeed, for the assembling of an army, and made promises and preparations for an invasion of Scotland. But the orders were recalled, and Edward, engrossed by disputes with his barons, took no decided part against the enemy. He wrote, however, to the different English governors of the few remaining castles in Scotland, who had represented their incapacity of standing out against the attacks of the Scots without a reinforcement of men, money, and provisions;[6] he directed flattering letters to John of Argyle, the island prince, praising him for the annoyance which his fleet had occasioned to Bruce, and exhorting him to continue his services during the winter; and he entreated the Pope to retain Wishart, bishop of Glasgow, as a false traitor and an

[1] Fœdera, vol. iii. p. 283. Fordun a Hearne, vol. iv. p. 1006.

[2] Chron. Lanercost, pp. 216, 217.

[3] Rotuli Scotiæ, vol. i. p. 105. 9th October 1311.

[4] Barbour, vol. i. p. 177.

[5] Chron. Lanercost, pp. 221, 222. Such is the account in the above MS. Chronicle; but Fordun a Hearne, p. 1006, affirms that both Scots and English were put to the sword. The town was taken on the 8th January 1311-12.

[6] Rotuli Scotiæ, vol. i. p. 105.

enemy to his liege lord of England, in an honourable imprisonment at Rome,[1] fearful of the influence in favour of Bruce which the return of this able prelate to Scotland might occasion. These feeble efforts were followed up by an attempt to conclude a truce; but the King of Scotland, eager to pursue his career of success, refused to accede[2] to the proposal, and a third time invaded England, with a greater force and a more desolating fury than before. The towns of Hexham and Corbridge were burnt; and his army, by a forced march, surprised the opulent city of Durham during the night,[3] slew all who resisted him, and reduced a great part of it to ashes. The castle and the precincts of its noble cathedral withstood the efforts of the Scots, but the rest of the city was entirely sacked; and so great was the spoil that the inhabitants of the bishopric, dreading the repetition of such a visit, offered two thousand pounds to purchase a truce. The terms upon which Robert agreed to this strongly evinced the change which had taken place in the relative position of the two countries. It was stipulated by the Scots that they should have free ingress and egress through the county of Durham, whenever they chose to invade England; and with such terror did this proviso affect the inhabitants of the neighbouring country, that the counties of Northumberland, Cumberland, and Westmoreland contributed each a sum of two thousand pounds to be included in the same truce.[4] During this invasion Bruce established his headquarters at Chester, while Sir James Douglas, with his veteran soldiers, who were well practised in such expeditions, pushed on, and having sacked Hartlepool and the country round it, returned with many burgesses and their wives, whom he had made prisoners, to the main army.[5] Thus enriched with a store of prisoners and plunder, the king returned to Scotland, and on his road thither assaulted Carlisle; but he found the garrison on the alert, and a desperate conflict took place, in which the Scots were beat back with great loss,—Douglas himself and many of his men being wounded.[6] This want of success did not prevent him from endeavouring to surprise Berwick by a forced march and a night attack, which had nearly succeeded. The hooks of the rope-ladders were already fixed on the wall, and the soldiers had begun to mount, when the barking of a dog alarmed the garrison, and the assailants were compelled to retire with loss.[7]

On his return to Scotland, King Robert was repaid for his partial discomfiture by the recovery of some important castles. Dalswinton, in Galloway, the chief residence of his enemies the Comyns, and, soon after, the castles of Butel and of Dumfries, which last had been committed to the care of Henry de Beaumont, were taken by assault, and, according to the constant practice of Bruce, immediately razed and rendered untenable by any military force.[8] Edward now trembled for his strong castle of Caerlaverock, which had cost his father so long a siege; and he wrote with great anxiety to its constable, Eustace de Maxwell, exhorting him to adopt every means in his power for its defence. In the winter of the same year, this monarch was driven to some mean compromises of his honour. The English garrison of Dundee had been so hard pressed by the Scots, that William de Montfichet, the warden,

[1] Fœdera, vol. iii. p. 245.

[2] Ibid. p. 301.

[3] Hemingford, vol. i. p. 262. Chron. Lanercost, p. 220.

[4] Chron. Lanercost, p. 220.

[5] Hemingford, vol. i. p. 262. "Bruce was here only making a reprisal on his own English property. He had at Hartlepool, market and fair, assize of bread and victual, also a seaport where he takes keel dues."—Hutchinson's History of Durham, pp. 234, 246.

[6] Hemingford, vol. i. p. 262.

[7] Chron. Lanercost, p. 221. Lord Hailes, vol. ii. p. 36, and Ker, vol. i. p. 404, have fallen into an error in describing Bruce as having only "threatened to besiege Berwick." Nor have either of these historians taken notice of his attempt upon Carlisle. Berwick was assaulted in December 1312. M. Malmesbury, vita Ed. II. p. 145.

[8] Fordun a Hearne, vol. iv. p. 1006.

entered into a treaty to surrender the place, and give up a number of Scottish prisoners within a stipulated time. Edward was then at York, and having heard of this agreement, he sent peremptory orders to the warden to violate the truce, and, under the penalty of death to himself and confiscation of his estates, to preserve the town by this flagrant act. Montfichet was also enjoined to warn the Scots, that if any of the English prisoners or hostages should be put to death, orders would be given for the immediate execution of all the Scottish prisoners in the hands of the English. In addition to this, the king addressed flattering letters to the several officers of the garrison of Dundee, and to the mayor, bailiffs, and community, thanking them for their good service, and exhorting them to persevere in the defence of the town. It is mortifying to find Sir David de Brechin, the king's nephew, who had signalised himself against his uncle in his days of distress, and, when afterwards made prisoner, had been pardoned and received into favour, again in the ranks of the enemy, and acting the part of an Anglicised Scot. He was now commanded to co-operate as joint-warden with Montfichet, and earnest orders were despatched for reinforcements of ships, provisions, and soldiers, to be sent from Newcastle and Berwick.[1]

The heroic spirit of Bruce had now transfused itself into the peasantry of the country; and the king began to reap the fruits of this popular spirit, in the capture of the castle of Linlithgow, by a common labourer. His name was Binny, and being known to the garrison, and employed by them in leading hay into the fort, he communicated his design to a party of Scottish soldiers, whom he stationed in ambush near the gate. In his large wain he contrived to conceal eight armed men, covered with a load of hay; a servant drove the oxen, and Binny himself walked carelessly at his side. When the portcullis was raised, and the wain stood in the middle of the gateway, interposing a complete barrier to its descent, the driver cut the ropes which harnessed the oxen; upon which signal the armed men suddenly leaped from the cart, the soldiers in ambush rushed in, and so complete was the surprise, that with little resistance the garrison were put to the sword, and the place taken. Bruce amply rewarded the brave countryman, and ordered the castle and its strong outworks, constructed by Edward I., to be immediately demolished.[2]

Edward had committed the charge of the castle of Roxburgh, a post of the utmost importance, to a Burgundian knight, Gillemin de Fiennes. On Fasten's Even, immediately before Lent, when the soldiers and officers of the garrison were carelessly carousing, Sir James Douglas, with about sixty soldiers, favoured by a dark night, and concealed by black frocks thrown over their armour, cautiously approached the castle, creeping on their hands and feet through the trees which studded the park. They at last approached in this way so near that they could overhear the talk of the sentinels, one of whom observed them moving; and, deceived by the darkness, remarked to his fellow that yonder oxen were late left out. Relieved by this fortunate mistake, Douglas and his men continued their painful progress, and at length succeeded in reaching the foot of the walls, and fixing their ladders of rope, without being discovered. They could not, however, mount so quietly, but that the nearest watch on the outer wall overheard the noise, and ran to meet them. All was like to be lost; but by this time the first Scots soldier had mounted the parapet, who instantly stabbed the sentry, and threw him over, before he had time to give the alarm. Another sentinel shared the fate of the first; and so

[1] Rotuli Scotiæ, vol. i. p. 108. 2d March 1311-12.

[2] Lord Hailes, following Barbour, p. 196, and Ker, following Lord Hailes, place the capture of Linlithgow in the year 1311. Yet it appears, by the Rotuli Scotiæ, that the peel, or castle of Linlithgow, was in possession of the English in February 1312-13.

intent were the garrison upon their midnight sports, that the terrible cry of "Douglas! Douglas!" shouted into the great hall was the first thing which broke off the revels. In a moment the scene was changed from mirth into a dreadful carnage; but resistance soon became hopeless, and Douglas gave quarter. De Fiennes retreated to the great tower, and gallantly defended himself, till a deep wound in the face compelled him to surrender.[1] He retired to England, and died of his wounds soon after. Bruce immediately sent his brother Edward, who levelled the works, and reduced the rest of Teviotdale, with the exception of Jedburgh, which was still garrisoned by the English.

At this time Randolph, earl of Moray, had strictly invested the castle of Edinburgh, which for twenty years had been in the possession of England, and was now commanded by Sir Piers de Luband, a Gascon knight, and a relative of Gaveston, the English king's favourite.[2] The garrison suspected the fidelity of this foreigner, and, having cast him into a dungeon, chose a constable of their own nation, who determined to defend the place to the last extremity. Already had the Scots spent six weeks in the siege, when an English soldier, of the name of Frank, presented himself to Randolph, and informed him he could point out a place where he had himself often scaled the wall, and by which he undertook to lead his men into the castle. This man, in his youth, when stationed in the castle, had become enamoured of a girl in the neighbourhood, and for the purpose of meeting her, had discovered a way up and down the perilous cliff, with which custom had rendered him familiar; and Randolph, with thirty determined men, fully armed, placed themselves under his direction, and resolved to scale the castle at midnight.[3] The surprise, however, was not nearly so complete as at Roxburgh, and the affair far more severely contested. Besides, Randolph had only half the number of men with Douglas, the access was far more difficult, and the night was so dark, that the task of climbing the rock became extremely dangerous. They persevered, nevertheless, and, on getting about half-way up, found a jutting crag, on which they sat down to take breath. The wall was now immediately above them; and it happened that the check-watches, at this time, were making their round, and challenging the sentinels, whilst Randolph and his soldiers could hear all that passed. At this critical moment, whether from accident, or that one of the watch had really perceived something moving on the rock, a soldier cast a stone down towards the spot where Randolph sat, and called out—"Away! I see you well." But the Scots lay still, the watch moved on, and Randolph and his men waited till they had gone to some distance. They then got up, and clambering to the bottom of the wall, at a place where it was only twelve feet in height, fixed the iron crochet of their rope ladder on the crib-stone.[4] Frank was the first who mounted, then followed Sir Andrew Gray, next came Randolph himself, who was followed by the rest of the party. Before, however, all had got up, the sentinels, who had heard whispering and the clank of arms, attacked them, and shouted "Treason!" They were soon, however, repulsed or slain; and the Scots, by this time on the parapet, leapt down, and rushed on to the keep, or principal strength. The whole garrison was now in arms, and a desperate conflict ensued, in which the English greatly outnumbered their assailants. But panic and surprise deprived them of their accustomed bravery; and, although the governor himself made a gallant defence, he was overpowered and slain, and his garrison immediately surrendered at discretion. Randolph liberated Sir Piers Luband from his dungeon, and the Gascon knight immediately entered the service

[1] Barbour, pp. 202, 203.
[2] Monachi Malmesburiensis Vita Edwardi II., p. 144.
[3] Barbour, p. 205.
[4] Barbour, pp. 207, 208.

of Bruce. The castle itself shared the fate of every fortress which fell into the hands of the Scottish king. It was instantly demolished, and rendered incapable of military occupation. If we consider the small number of men which he led, and the difficult circumstances in which the assault was made, we shall probably be inclined to agree with the faithful old historian, who characterises this exploit of Randolph as one of the hardiest and most chivalrous which distinguished a chivalrous age.[1]

These great successes so rapidly succeeding each other, and an invasion of Cumberland, which soon after followed, made the English king tremble for the safety of Berwick, and induced him to remove the unfortunate Countess of Buchan from her imprisonment there, to a place of more remote confinement. The conferences for a cessation of hostilities were again renewed, at the request of the French king; and Edward ostentatiously talked of granting a truce to his enemies, in compliance with the wishes of Philip,[2] which, when it came to the point, his enemies would not grant to him.

Soon after this, the King of Scotland conducted, in person, a naval expedition against Man. To this island his bitter enemies, the Macdowalls, had retreated, after their expulsion from Galloway, their ancient principality; and the then Governor of Man appears to have been that same fierce chief who had surprised Thomas and Alexander Bruce at Loch Ryan. Bruce landed his troops, encountered and routed the governor, stormed the castle of Russin, and completely subdued the island.[3] He then despatched some galleys to levy contributions in Ulster, and returned to Scotland, where he found that his gallant and impetuous brother, Sir Edward Bruce, had made himself master of the town and castle of Dundee, for the preservation of which so many exertions had been made in a former year. After this success, Sir Edward laid siege to the castle of Stirling, nearly the last fortress of importance which now stood between Scotland and freedom. Its governor, Philip de Mowbray, after a long and successful defence, had begun to dread the failure of provisions in the garrison, and made overtures for a treaty, in which he agreed to surrender the castle by the ensuing midsummer, if not relieved by an English army. This was evidently a truce involving conditions which ought on no account to have been accepted. Its necessary effect, if agreed to, was to check the ardour of the Scots in that career of success which was now rapidly leading to the complete deliverance of their country; it gave the King of England a whole year to assemble the strength of his dominions; and such were the chivalrous feelings of that age, as to agreements of this nature, that it compelled the King of Scotland to hazard the fortunes of his kingdom upon the issue of a battle, which he knew must be fought on his side with a great disparity of force. We need not wonder, then, that Bruce was highly incensed on hearing that, without consulting him, his brother had agreed to Mowbray's proposals. He disdained, however, to imitate the conduct of Edward, who, in a former year, and in circumstances precisely similar, had infringed the treaty of Dundee;[4] and keeping his word unbroken, he resolved, at all hazards, to meet the English on the appointed day.[5]

Edward, having obtained a partial reconciliation with his discontented barons, made immense preparations for the succour of the fortress of Stirling. He summoned the whole military force of his kingdoms to meet

1 Barbour, pp. 207, 212. In Tyrrel, vol. iii. p. 259, it is said, on the authority of Scala Chronicon, that the foreigners to whom the Scottish castles were committed would hazard nothing in their defence,—an erroneous assertion, and arising out of national mortification.

2 Rymer, Fœd. vol. iii. p. 411.

3 Fordun a Hearne, vol. iv. p. 1007. 11th June 1313. In the Chron. of Man he is called Dingaway Dowill. In the Annals of Ireland he is called the Lord Donegan Odowill.

4 Rotuli Scotiæ, vol. i. p. 108.

5 Barbour, pp. 216, 217.

him at Berwick on the 11th of June.[1] To this general muster ninety-three barons, comprehending the whole body of the great vassals of the crown, were commanded to repair with horse and arms, and their entire feudal service; whilst the different counties in England and Wales were ordered to raise a body of twenty-seven thousand foot soldiers; and although Hume, mistaking the evidence of the original record, has imagined that the numbers of this army have been exaggerated by Barbour, it is certain that the accumulated strength which the king commanded exceeded a hundred thousand men, including a body of forty thousand cavalry, of which three thousand were, both horse and man, in complete armour, and a force of fifty thousand archers. He now appointed the Earl of Pembroke, a nobleman experienced, under his father, in the wars of Scotland, to be governor of that country, and despatched him thither to make preparations for his own arrival. He ordered a fleet of twenty-three vessels to be assembled for the invasion of Scotland;[2] in addition to these, he directed letters to the mayor and authorities of the various seaport towns, enjoining them to fit out an additional fleet of thirty ships; and of this united armament he appointed John Sturmy and Peter Bard to have the command.[3] He directed letters to O'Connor, prince of Connaught, and twenty-five other Irish native chiefs, requiring them to place themselves, with all the military force which they could collect, under the orders of Richard de Burgh, earl of Ulster, and to join the army at the muster; he made the same demand upon the English barons who possessed estates in Ireland. He requested the Bishop of Constance to send him a body of sixty mounted cross-bowmen. He took care that store of provisions for the troops, and forage for the cavalry, should be collected from all quarters; he placed his victualling department under strict organisation; he appointed John of Argyle, who, probably, had no inconsiderable fleet of his own, to co-operate with the English armament, with the title of High Admiral of the western fleet of England;[4] and he took care that the army should be provided with all kinds of useful artisans—smiths, carpenters, masons, armourers—and supplied with waggons and cars for the transport of the tents, pavilions, and baggage, which so large a military array necessarily included. The various writs, and multifarious orders, connected with the summoning and organisation of the army of England, which fought at Bannockburn, are still preserved, and may be seen in their minutest details; and they prove that it far exceeded, not only in numbers but in equipment, any army which was ever led by any former monarch against Scotland.[5]

With this great force, Edward prepared to take the field, and having first made a pilgrimage with his queen and the Prince of Wales to St Albans, and with the accustomed offerings requested the prayers of the Church, he held his way through Lincolnshire to York and Newcastle, and met his army at Berwick. He here found that the Earls of Warrene, Lancaster, Arundel, and Warwick refused to attend him in person, alleging that he had broken his word given to the lord ordinars; but they sent their feudal services, and the rest of the nobility mustered, without any absentees, and with great splendour; so that the monarch having reviewed his troops, began his march for Scotland in high spirits, and with confident anticipations of victory.

Meanwhile, Bruce, aware of the

[1] Rymer, Fœdera, vol. iii. pp. 463, 464. The writs, summoning the great feudal force of his kingdom—namely, the cavalry—are directed to ninety-three barons. See Notes and Illustrations, letters AA.

[2] Rotuli Scotiæ, vol. i. pp. 116, 119. 7 Ed. II., m. 8. 18th March 1313-14. The writs are directed to twenty-three captains of vessels, of which the names are given. We have "the James, the Mary, the Blyth, the St Peter," &c.

[3] Rotuli Scotiæ, vol. i. p. 115. 12th March 1313.

[4] Rotuli Scotiæ, p. 121, m. 7, p. 129. 25th March 1313-14.

[5] Ibid. 7 Ed. II., vol. i. passim.

mighty force which was advancing against him, had not been idle. He appointed a general muster of his whole army in the Torwood, near Stirling,[1] and here he found that the greatest force which could be collected did not amount to forty thousand fighting men; and that the small body of cavalry which he had could not be expected to compete for a moment, either in the temper of their arms, or the strength of their horses, with the heavy cavalry of the English. He at once, therefore, resolved to fight on foot,[2] and to draw up his army in ground where cavalry could not act with effect, and where the English, from their immense numbers, would be cramped and confined in their movements. For this purpose he chose a field not far from Stirling, which was then called the New Park. It was studded and encumbered with trees, and the approach to it was protected by a morass, the passage of which would be dangerous to an enemy.[3] Bruce, having carefully examined the ground, determined that his right wing should rest on the rivulet called Bannockburn, whose broken and wooded banks afforded him an excellent security against being outflanked. His front extended to a village called St Ninians; and his left wing, which was unprotected by the nature of the ground, was exposed to the garrison of Stirling in the rear—a dangerous position, had not the terms of the treaty with the governor precluded attack from that quarter. But Bruce did not leave the defence of his left to this negative security; for in a field hard by, so firm and level that it afforded favourable ground for cavalry, he caused many rows of parallel pits to be dug, a foot in breadth, and about three feet deep. In these pits he placed pointed stakes, with a number of sharp iron weapons, called in Scotland *calthrops*, and covered them carefully with sod, so that the ground, apparently level, was rendered impassable to horse.[4] It does not appear, however, that the English cavalry attempted to charge over this ground, although, in the subsequent dispersion of the army, many lost their lives in the pits and ditches.[5]

Having thus judiciously availed himself of every circumstance, the king reviewed his troops, welcomed all courteously, and declared himself well satisfied with their appearance and equipment. The principal leaders of the Scottish army were Sir Edward Bruce, the king's brother, Sir James Douglas, Randolph, earl of Moray, and Walter, the High Steward of Scotland. These, with the exception of the last, who was still a youth, were experienced and veteran leaders, who had been long trained up in war, and upon whom their master could place entire reliance; and having fully explained to them his intended order of battle, the king waited in great tranquillity for the approach of the enemy.

Soon after word was brought that the English army had lain all night at Edinburgh. This was on Saturday evening, the 22d of June, and early in the morning of Sunday the soldiers heard mass. It was stated by the contemporary historians that they confessed themselves with the solemnity of men who were resolved to die in that field, or to free their country; and as it was the vigil of St John, they took no dinner, but kept their fast on bread and water. Meanwhile the king, on Sunday, after hearing mass, rode out to examine the pits which had been made, and to see that his orders had been duly executed. Having satisfied himself, he returned, and commanded his soldiers to arm. This order was promptly obeyed; and all cheerfully arrayed themselves under their different banners. Bruce then caused proclamation to be made that all who did not feel fully resolved to win the field or to die with honour had at that moment free liberty to

[1] Barbour, p. 221.

[2] The Scala Chron., p. 142, says that Bruce determined to fight on foot, after the example of the Flemish troops, who a little before this had discomfited the power of France at the battle of Coutray. The same allusion to Coutray is made by the Monk of Malmesbury, p. 152.

[3] Barbour, pp. 223, 224.

[4] Barbour, p. 226, l. 365.

[5] Fordun a Goodal, vol. ii. p. 246.

leave the army; but the soldiers raised a great shout, and answered with one accord that they were determined to abide the enemy.[1]

The baggage of the army was placed in a valley at some distance in the rear, and the sutlers and camp-followers, who amounted nearly to twenty thousand, were stationed beside it, and commanded to await the result of the battle. They were separated from the army by a small hill, which is yet called the Gilles, or Gillies' Hill.

The king now arranged his army in a line consisting of three square columns, or battles, of which he intrusted the command of the vaward, or centre, to the Earl of Moray. His brother Edward led the right, and the left was given to Sir James Douglas and Walter, the Steward of Scotland.[2] He himself took the command of the reserve, which formed a fourth battle, drawn up immediately behind the centre, and composed of the men of Argyle, Carrick, Kantire, and the Isles. Along with him was Angus of Islay, with the men of Bute; and he had also under his command a body of five hundred cavalry, fully armed, and mounted on light and active horses.

Having thus disposed his order of battle, the king despatched Sir James Douglas and Sir Robert Keith to reconnoitre, who soon after returned with the news that they descried the English host advancing in great strength, and making a very martial appearance. For this intelligence Bruce was well prepared; yet, dreading its effect upon his soldiers, he directed them to give out to the army that the enemy, though numerous, were advancing in confused and ill-arranged order.[3]

Although this was not exactly the case, the rash character of Edward led him to commit some errors in the disposal of his troops, which led to fatal consequences. He had hurried on to Scotland with such rapidity that the horses were worn out with travel and want of food, and the men were not allowed the regular periods for halt and refreshment, so that his soldiers went into action under great disadvantage. Upon advancing from Falkirk early in the morning, and when the English host was only two miles distant from the Scottish army, Edward despatched an advanced party of eight hundred cavalry, led by Sir Robert Clifford, with orders to outflank the enemy and throw themselves into Stirling Castle. Bruce had looked for this movement, and had commanded Randolph, his nephew, to be vigilant in repelling any such attempt.[4] Clifford, however, unobserved by Randolph, made a circuit by the low grounds to the east and north of the church of St Ninians, and having thus avoided the front of the Scottish line, he was proceeding towards the castle when he was detected by the piercing eye of Bruce, who rode hastily up to Randolph, and reproached him for his carelessness in having suffered the enemy to pass. "Oh, Randolph!" cried his master, "lightly have you thought of the charge committed to you; a rose has fallen from your chaplet."[5] Stung by such words, the Earl of Moray, leaving the centre, at the head of a select body of infantry, hastened at all hazards to repair his error. As he advanced, Clifford's squadron wheeled round, and putting their spears in rest, charged him at full speed, but Randolph had formed his infantry in a square presenting a front on all sides, with the spears fixed before them;[6] and although he had only five hundred men, he awaited the shock of Clifford with such firmness that many of the English were unhorsed, and Sir William Daynecourt, an officer of note, who had been more forward in his attack than his companions, was slain.[7] Unable to make any impression upon Randolph's square by this first attack, the English proceeded more leisurely to surround him on all sides, and by a second furious and simultaneous charge on each front, endeavoured to break the line; but

1 Barbour, pp. 226, 227.
2 Ibid. p. 225, l. 344, compared with l. 309.
3 Barbour, p. 229.
4 Barbour, p. 228.
5 Ibid. p. 231.
6 Ibid. p. 232.
7 Ibid. p. 234.

the light armour, the long spears, and the short knives and battle-axes of the Scottish foot proved a match for the heavy-armed English cavalry, and a desperate conflict ensued, in which Randolph's little square, although it stood firm, seemed likely to be crushed to pieces by the heavy metal which was brought against it. All this passed in the sight of Bruce, who was surrounded by his officers. At length Sir James Douglas earnestly requested to be allowed to go with a reinforcement to his relief. "You shall not stir a foot from your ground," said the king, "and let Randolph extricate himself as best he can; I will not alter my order of battle, and lose my advantage, whatever may befall him." "My liege," answered Douglas, "I cannot stand by and see Randolph perish when I may bring him help; so by your leave I must away to his succour." Bruce unwillingly consented, and Douglas immediately held his way towards Randolph.[1]

By this time the King of England had brought up his main army, and ordered a halt for the purpose of consulting with his leaders whether it were expedient to join battle that same day, or take a night to refresh his troops. By some mistake, however, the centre of the English continued its march, not aware of this order, and on their approach to the New Park Bruce rode forward alone to make some new arrangements, which were called for by the absence of Randolph, and to take a final view of the disposition of his army. He was at this time in front of his own line, meanly mounted on a hackney, but clad in full armour, with his battle-axe in his hand, and distinguished from his nobles by a small crown of gold surmounting his steel helmet. On the approach of the English vaward, led by the Earls of Gloucester and Hereford, Sir Henry de Boune, an English knight, who rode about a bowshot in advance of his companions, recognised the king, and galloped forward to attack him. Boune was armed at all points, and excellently mounted on a heavy war-horse, so that the contest was most unequal, and Bruce might have retired; but for a moment he forgot his duties as a general in his feelings as a knight, and, to the surprise of his soldiers, spurred his little hackney forward to his assailant. There was an interval of breathless suspense, but it lasted only a moment; for as the English knight came on in full career, the king parried the spear, and raising himself in his stirrups as he passed, with one blow of his battle-axe laid him dead at his feet, by almost cleaving his head in two.[2] Upon this his soldiers raised a great shout, and advanced hardily upon the English centre, which retreated in confusion to the main army; and Bruce, afraid of disorder getting into his line of battle, called back his men from the pursuit, after they had slain a few of the English soldiers. When they had time to recollect themselves, the Scottish leaders earnestly remonstrated with the king for the rash manner in which he exposed himself; and Bruce, somewhat ashamed of the adventure, changed the subject, and looking at the broken shaft which he held in his hand, with a smile replied, "He was sorry for the loss of his good battle-axe."[3]

All this passed so quickly, that the contest between Randolph and Clifford was still undecided; but Douglas, as he drew near to his friend's rescue, perceived that the English had by this time begun to waver, and that disorder was rapidly getting into their ranks. Commanding his men, therefore, to halt, "Let us not," cried he, "diminish the glory of so redoubtable an encounter, by coming in at the end to share it. The brave men that fight yonder without our help will soon discomfit the enemy." And the result was as Douglas had foreseen; for Randolph, who quickly perceived the same indications, began to press the English cavalry with repeated charges and increasing fury, so that they at length entirely broke, and fled in great disorder. The attempt to throw suc-

[1] Barbour, pp. 233, 234.

[2] Barbour, pp. 235, 236.

[3] Ibid. p. 237.

cours into the castle was thus completely defeated; and Clifford, after losing many of his men, who were slain in the pursuit, rejoined the main body of the army with the scattered and dispirited remains of his squadron.[1] So steadily had the Scots kept their ranks, that Randolph had sustained a very inconsiderable loss.

From the result of these two attacks, and especially from the defeat of Clifford, Bruce drew a good augury, and cheerfully congratulated his soldiers on so fair a beginning. He observed to them, that they had defeated the flower of the English cavalry, and had driven back the centre division of their great army; and remarked, that the same circumstances which gave spirit and animation to their hopes must communicate depression to the enemy.[2] As the day was far spent, he held a military council of his leaders, and requested their advice, whether, having now seen the numbers and strength of their opponents, it was expedient to hazard a battle, declaring himself ready to submit his individual opinion to the judgment of the majority. But the minds of the Scottish commanders were not in a retreating mood; and although aware of the great disparity of force, the English army being more than triple that of Bruce, they declared their unanimous desire to keep their position, and to fight on the morrow. The king then told them that such was his own wish, and commanded them to have the whole army arrayed next morning by daybreak, in the order and upon the ground already agreed on. He earnestly exhorted them to preserve the firmest order, each man under his own banner, and to receive the charge of the enemy with levelled spears, so that even the hindmost ranks of the English would feel the shock. He pointed out to them that everything in the approaching battle, which was to determine whether Scotland was to be free or enslaved, depended on their own steady discipline and deliberate valour. He conjured them not to allow a single soldier to quit his banner or break the array; and, if they should be successful, by no means to begin to plunder or to make prisoners, as long as a single enemy remained on the field. He promised that the heirs of all who fell should receive their lands free, and without the accustomed feudal fine; and he assured them, with a determined and cheerful countenance, that if the orders he had now given were obeyed they might confidently look forward to victory.[3]

Having thus spoken to his leaders, the army were dismissed to their quarters. In the evening they made the necessary arrangements for the battle, and passed the night in arms upon the field. Meanwhile the English king and his leaders had resolved, on account of the fatigue undergone by the troops, and symptoms of dissatisfaction which appeared amongst them, to delay the attack, and drew off to the low grounds to the right and rear of their original position, where they passed the night in riot and disorder.[4] At this time, it is said, a Scotsman, who served in the English army, deserted to Bruce, and informed him he could lead him to the attack so as to secure an easy victory. Robert, however, was not thus to be drawn from his position, and determined to await the enemy on the ground already chosen.

On Monday, the 24th of June, at the first break of day, the Scottish king confessed, and along with his army heard mass. This solemn service was performed by Maurice, the Abbot of Inchaffray, upon an eminence in front of their line, and after its conclusion the soldiers took breakfast, and arranged themselves under their different banners. They wore light armour, but of excellent temper. Their weapons were, a battle-axe slung at their side, and long spears, besides knives or daggers, which the former affair of Randolph had proved to be highly effective in close combat. When the whole army was in array, they proceeded, with displayed banners,

[1] Barbour, pp. 238, 239.
[2] Ibid. pp. 240, 241.
[3] Barbour, pp. 243, 244.
[4] Thomas de la More, apud Camden, p. 594.

to make knights, as was the custom before a battle. Bruce conferred that honour upon Walter, the young Steward of Scotland, Sir James Douglas, and many other brave men, in due order, and according to their rank.[1]

By this time the van of the English army, composed of archers and lances, and led by the Earls of Gloucester and Hereford, approached within bow-shot; and at a little distance behind the remaining nine divisions, which, confined by the narrowness of the ground, were compressed into a close column of great and unwieldy dimensions.[2] This vast body was conducted by the King of England in person, who had along with him a body-guard of five hundred chosen horse. He was attended by the Earl of Pembroke, Sir Ingelram Umfraville, and Sir Giles de Argentine, a knight of Rhodes, of great reputation.[3] When Edward approached near enough, and observed the Scottish army drawn up on foot, and their firm array and determined countenance, he expressed much surprise, and turning to Umfraville, asked him, "If he thought these Scots would fight?" Umfraville replied that they assuredly would; and he then advised Edward, instead of an open attack, to pretend to retreat behind his encampment, upon which he was confident, from his old experience in the Scottish wars, that the enemy would break their array, and rush on without order or discipline, so that the English army might easily attack and overwhelm them. Umfraville, an Anglicised Scottish baron, who had seen much service against Edward's father, and had only sworn fealty in 1305, spoke this from an intimate knowledge of his countrymen; but Edward fortunately disdained his counsel. At this moment the Abbot of Inchaffray, barefooted, and holding a crucifix aloft in his hand, walked slowly along the Scottish line; and as he passed, the whole army knelt down,[4] and prayed for a moment with the solemnity of men who felt it might be their last act of devotion. "See," cried Edward, "they are kneeling—they ask mercy!" "They do, my liege," replied Umfraville, "but it is from God, not from us. Trust me, yon men will win the day, or die upon the field."[5] "Be it so then," said Edward, and immediately commanded the charge to be sounded. The English van, led by Gloucester and Hereford, now spurred forward their horses, and at full gallop charged the right wing of the Scots, commanded by Edward Bruce; but a dispute between the two English barons as to precedency caused the charge, though rapid, to be broken and irregular. Gloucester, who had been irritated the day before by some galling remarks of the king, insisted on leading the van, a post which of right belonged to Hereford, as Constable of England. To this Hereford would not agree; and Gloucester, as they disputed, seeing the Scottish right advancing, sprung forward at the head of his own division, and, without being supported by the rest of the van, attacked the enemy, who received them with a shock which caused the noise of the meeting of their spears to be heard a great way off, and threw many knights from their saddles, whose horses were stabbed and rendered furious by their wounds.[6] While the right wing was thus engaged, Randolph, who commanded the centre division, advanced at a steady pace to meet the main body of the English, whom he confronted and attacked with great intrepidity, although the enemy outnumbered him by ten to one. His square, to use an expression of Barbour's, was soon surrounded and lost amidst the English, as if it had plunged into the sea; upon which Sir James Douglas and Walter the Steward brought up the left wing; so that the whole line, composed of the three battles, was now engaged, and the battle raged with great fury.[7] The

[1] Barbour, p. 248.
[2] Walsingham, p. 105.
[3] Fœdera, vol. iii. p. 441. Fordun a Goodal, vol. ii. p. 295.
[4] Fordun a Goodal, vol. ii. p. 250.
[5] Barbour, p. 250, and Chronicle of Lanercost, p. 225.
[6] Barbour, p. 251.
[7] Ibid. pp. 252, 253.

English cavalry attempting, by repeated charges, to break the line of the Scottish spearmen, and they standing firm in their array, and presenting on every side a serried front of steel, caused a shock and melee which is not easily described; and the slaughter was increased by the remembrance of many years of grievous injury and oppression, producing, on the part of the Scots, an exasperation of feeling and an eager desire of revenge. At every successive charge the English cavalry lost more men, and fell into greater confusion than before; and this confusion was infinitely increased by the confined nature of the ground and the immense mass of their army. The Scottish squares, on the other hand, were light and compact, though firm; they moved easily, altered their front at pleasure, and suited themselves to every emergency of the battle. They were, however, dreadfully galled by the English bowmen; and Bruce, dreading the effect of the constant and deadly showers of arrows, which fell like hail upon them, directed Sir Robert Keith, the marshal, to make a circuit, with the five hundred horse which were in the reserve, round the morass called Miltown Bog, and to charge the archers in flank. This movement was executed with great decision and rapidity; and such was its effect that the whole body of the archers, who had neither spears nor other weapons to defend themselves against cavalry, were in a short time overthrown and dispersed, without any prolonged attempt at resistance.[1] Part of them fled to the main army, and the rest did not again attempt to rally or make head during the continuance of the battle. Although such was the success of this judicious attack, the English still kept fighting with great determination; but they had already lost some of their bravest commanders, and Bruce could discern symptoms of exhaustion and impatience. He saw, too, that his own infantry were still fresh and well-breathed; and he assured his leaders that the attack, continued but for a short time, and pushed with vigour, must make the day their own. It was at this moment that he brought up his whole reserve, and the four battles of the Scots were now completely engaged in one line.[2] The Scottish archers, unlike the English, carried short battle-axes; and with these, after they had exhausted their arrows, they rushed upon the enemy, and made great havoc. The Scottish commanders, too, the king, Edward Bruce, Douglas, Randolph, and the Steward, were fighting in the near presence of each other, and animated with a generous rivalry. At this time Barbour, whose account of the battle is evidently taken from eye-witnesses, describes the field as exhibiting a terrific spectacle. "It was awful," says he, "to hear the noise of these four battles fighting in a line,—the clang of arms, the shouts of the knights as they raised their war-cry; to see the flight of the arrows, which maddened the horses; the alternate sinking and rising of the banners, and the ground slippery with gore, and covered with shreds of armour, broken spears, pennons, and rich scarfs, torn and soiled with blood and clay; and to listen to the groans of the wounded and the dying." The wavering of the English lines was now discernible by the Scottish soldiers themselves, who shouted when they saw it, and calling out, "On them, on them—they fail!" pressed forward with renewed vigour, gaining ground upon their enemy.[3] At this critical moment there appeared over the little hill, which lay between the field and the baggage of the Scottish army, a large body of troops marching apparently in firm array towards the field. This spectacle, which was instantly believed to be a reinforcement proceeding to join the Scots, although it was nothing more than the sutlers and camp-boys hastening to see the battle, spread dismay amidst the ranks of the English; and King Robert, whose eye was everywhere, to perceive and take advantage of the slightest

[1] Barbour, pp. 255, 256.

[2] Barbour, p. 258. Chronicle of Lanercost, p. 225.

[3] Ibid. p. 259.

movement in his favour, put himself at the head of his reserve, and raising his *ensenye*, or war-cry, furiously pressed on the enemy.[1] It was this last charge, which was followed up by the advance of the whole line, that decided the day; the English, who hitherto, although wavering, had preserved their array, now broke into disjointed squadrons; part began to quit the field, and no efforts of their leaders could restore order. The Earl of Gloucester, who was mounted on a spirited war-horse, which had lately been presented to him by the king,[2] in one of his attempts to rally his men, rode desperately upon the division of Edward Bruce; he was instantly unhorsed, and fell pierced by numerous wounds of the Scottish lances. The flight now became general, and the slaughter great. The banners of twenty-seven barons were laid in the dust, and their masters slain. Amongst these were Sir Robert Clifford, a veteran and experienced commander, and Sir Edmund Mauley, the Seneschal of England. On seeing the entire route of his army, Edward reluctantly allowed the Earl of Pembroke to seize his bridle, and force him off the field, guarded by five hundred heavy-armed horse. Sir Giles de Argentine accompanied him a short way, till he saw the king in safety. He then reined up, and bade him farewell. "It has never been my custom," said he, "to fly; and here I must take my fortune." Saying this, he put spurs to his horse, and crying out "An Argentine!" charged the squadron of Edward Bruce, and, like Gloucester, was soon borne down by the force of the Scottish spears, and cut to pieces.[3] Multitudes of the English were drowned when attempting to cross the river Forth. Many, in their flight, got entangled in the pits, which they seem to have avoided in their first attack, and were there suffocated or slain; others, who vainly endeavoured to pass the rugged banks of the Bannockburn, were slain in that quarter; so completely was this little river heaped up with the dead bodies of men and horses, that the pursuers passed dry over the mass as if it were a bridge. Thirty thousand of the English were left dead upon the field, and amongst these two hundred knights and seven hundred esquires. A large body of Welsh fled, under the command of Sir Maurice Berklay, but the greater part of them were slain, or taken prisoners, before they reached England.[4]

Such also might have been the fate of the King of England himself, had Bruce been able to spare a sufficient body of cavalry to follow up the chase. But when Edward left the field, with his five hundred horse, many straggling parties of the enemy still lingered about the low grounds, and numbers had taken refuge under the walls, and in the hollow recesses of the rock on which Stirling castle is built.[5] These, had they rallied, might have still created much annoyance, a part of the Scottish army being occupied in plundering the camp; and it thus became absolutely necessary for Bruce to keep the more efficient part of his troops together. When Douglas, therefore, proposed to pursue the king, he could obtain no more than sixty horsemen. In passing the Torwood, he was met by Sir Laurence Abernethy, hastening with a small body of cavalry to join the English. This knight immediately deserted a falling cause, and assisted in the chase. They made up to the fugitive monarch at Linlithgow, but Douglas deemed it imprudent to hazard an attack with so inferior a force. He pressed so hard upon him, however, as not to suffer the English to have a moment's rest; and it is a strong proof of the panic which had seized them that a body of five hundred heavy horse, armed to the teeth, fled before eighty Scottish cavalry, without attempting to make a stand. But it is probable they believed Douglas to

[1] Barbour, p. 261.

[2] Hutchinson's Hist. and Antiquities of the Palatinate of Durham, p. 261. "The Bishop of Durham, Richard Kellow, had a short time before presented this war-horse, an animal of high price, along with one thousand marks, to King Edward."

[3] Barbour, p. 263.

[4] Barbour, pp. 266, 267.

[5] Ibid.

be the advance of the army.[1] Edward at last gained the castle of Dunbar, where he was hospitably received by the Earl of March, and from which he passed by sea to Berwick. In the meantime, Bruce sent a party to attack the fugitives who clustered round the rock of Stirling. These were immediately made prisoners, and having ascertained that no enemy remained, the king permitted his soldiers to pursue the fugitives, and give themselves up to plunder. The unfortunate stragglers were slaughtered by the peasantry, as they were dispersed over the country; and many of them, casting away their arms and accoutrements, hid themselves in the woods, or fled almost naked from the field.[2] Some idea of the extent and variety of the booty which was divided by the Scottish soldiers may be formed from the circumstance mentioned by an English historian, "That the chariots, waggons, and wheeled carriages, which were loaded with the baggage and military stores, would, if drawn up in a line, have extended for twenty leagues."[3]

These, along with numerous herds of cattle, and flocks of sheep and swine; store of hay, corn, and wine; the vessels of gold and silver belonging to the king and his nobility; the money-chests holding the treasure for the payment of the troops; a large assemblage of splendid arms, rich wearing apparel, horse and tent furniture, from the royal wardrobe and private repositories of the knights and noblemen who were in the field; and a great booty in valuable horses, fell into the hands of the conquerors, and were distributed by Bruce amongst his soldiers with a generosity and impartiality which rendered him highly popular. Besides all this, Edward had brought along with him many instruments of war, and machines employed in the besieging of towns, such as petronels, trebuchets, mangonels, and battering rams, which, intended for the demolition of the Scottish castles, now fell into the hands of Bruce, to be turned, in future wars, against England. The living booty, too, in the many prisoners of rank who were taken, was great. Twenty-two barons and bannerets, and sixty knights, fell into the hands of the Scots. Considering the grievous injuries which he had personally sustained, the King of Scotland evinced a generous forbearance in the uses of his victory, which does him high honour: not only was there no unnecessary slaughter, no uncalled-for severity of retaliation, but, in their place, we find a high-toned courtesy, which has called forth the praises of his enemies.[4] The body of the young and noble Earl of Gloucester was reverently carried to a neighbouring church, and every holy rite duly observed. It was afterwards sent to England, along with the last remains of the brave Lord Clifford, to be interred with the honours due to their rank. The rest of the slain were reverently buried upon the field.[5] Early next morning, as the king examined the ground, Sir Marmaduke de Twenge, who had lurked all night in the woods, presented himself to Bruce, and, kneeling down, delivered himself as his prisoner. Bruce kindly raised him, retained him in his company for some time, and then dismissed him, not only without ransom, but enriched with presents.[6]

It happened that one Baston, a Carmelite friar, and esteemed an excellent poet, had been commanded by Edward to accompany the army, that he might immortalise the expected triumph of his master. He was taken; and Bruce commanded him, as an appropriate ransom, to celebrate the victory of the Scots at Bannockburn—a task which he has accomplished in a composition which still remains an extraordinary relic of the Leonine, or rhyming hexameters.[7]

On the day after the battle, Mowbray, the English governor of Stirling,

[1] Henry Knighton, p. 2533. Walsingham, p. 105.
[2] Monachi Malmesbur. p. 151.
[3] Ibid. p. 147.
[4] Joh. de Trokelowe, p. 28.
[5] Barbour, p. 273.
[6] Ibid. p. 269.
[7] Fordun a Goodal, p. 251.

having delivered up that fortress, according to the terms of the truce, entered into the service of the King of Scotland; and the Earl of Hereford, who had taken refuge in Bothwell castle, then in the hands of the English, capitulated, after a short siege, to Edward Bruce. This nobleman was exchanged for five illustrious prisoners, Bruce's wife, his sister Christian, his daughter Marjory, Wishart, the bishop of Glasgow, now blind, and the young Earl of Mar, nephew to the king. John de Segrave, made prisoner at Bannockburn, was ransomed for five Scottish barons; so that, in these exchanges, the English appear to have received nothing like an adequate value. The riches obtained by the plunder of the English, and the subsequent ransom paid for the multitude of prisoners, must have been great. The exact amount cannot be easily estimated, but some idea of it may be formed from the tone of deep lamentation assumed by the Monk of Malmesbury. "O day of vengeance and of misfortune!" says he, "day of disgrace and perdition! unworthy to be included in the circle of the year, which tarnished the fame of England, and enriched the Scots with the plunder of the precious stuffs of our nation, to the extent of two hundred thousand pounds. Alas! of how many noble barons, and accomplished knights, and high-spirited young soldiers,—of what a store of excellent arms, and golden vessels, and costly vestments, did one short and miserable day deprive us."[1] Two hundred thousand pounds of money in those times, amounts to about six hundred thousand pounds weight of silver, or nearly three millions of our present money. It is remarkable that Sir William Vipont, and Sir Walter Ross, the bosom friend of Edward Bruce, were the only persons of note who were slain on the side of the Scots, whose loss, even in common men, was small; proving how effectually their squares had repelled the English cavalry.

Such was the great battle of Bannockburn, interesting above all others which have been fought between the then rival nations, if we consider the issue which hung upon it; and glorious to Scotland, both in the determined courage with which it was disputed by the troops, the high military talents displayed by the king and his leaders, and the amazing disparity between the numbers of the combatants. Its consequences were in the highest degree important. It put an end for ever to all hopes upon the part of England of accomplishing the conquest of her sister country. The plan, of which we can discern the foundations as far back as the reign of Alexander III., and for the furtherance of which the first Edward was content to throw away so much of treasure and blood, was put down in the way in which all such schemes ought to be defeated—by the strong hand of free-born men, who were determined to remain so; and the spirit of indignant resistance to foreign power, which had been awakened by Wallace, but crushed for a season by the dissensions of a jealous nobility, was concentrated by the master-spirit of Bruce, and found fully adequate to overwhelm the united military energies of a kingdom, far superior to Scotland in all that constituted military strength. Nor have the consequences of this victory been partial or confined. Their duration throughout succeeding centuries of Scottish history and Scottish liberty, down to the hour in which this is written, cannot be questioned; and without launching out into any inappropriate field of historical speculation, we have only to think of the most obvious consequences which must have resulted from Scotland becoming a conquered province of England; and if we wish for proof, to fix our eyes on the present condition of Ireland, in order to feel the reality of all that we owe to the victory at Bannockburn, and to the memory of such men as Bruce, Randolph, and Douglas.

[1] Mon. Malmesburiensis, p. 152.

CHAPTER IV.

ROBERT BRUCE.

1314—1329.

A DEEP and general panic seized the English, after the disastrous defeat at Bannockburn. The weak and undecided character of the king infected his nobility, and the common soldiers having lost all confidence in their officers, became feeble and dispirited themselves. "A hundred English would not hesitate," says Walsingham, "to fly from two or three Scottish soldiers, so grievously had their wonted courage deserted them."[1] Taking advantage of this dejection, the king, in the beginning of autumn,[2] sent Douglas and Edward Bruce across the eastern marches, with an army which wasted Northumberland, and carried fire and sword through the principality of Durham, where they levied severe contributions. They next pushed forward into Yorkshire, and plundered Richmond, driving away a large body of cattle, and making many prisoners. On their way homeward, they burnt Appleby and Kirkwold, sacked and set fire to the villages in their route, and found the English so dispirited everywhere, that their army reached Scotland, loaded with spoil, and unchallenged by an enemy.[3] Edward, indignant at their successes, issued his writs for the muster of a new army to be assembled from the different wapentachs of Yorkshire; commanded ships to be commissioned and victualled for a second Scottish expedition; and appointed the Earl of Pembroke to be governor of the country between Berwick and the river Trent, with the arduous charge of defending it against reiterated attacks, and, to use the words of the royal commission, "the burnings, slaughters, and inhuman and sacrilegious depredations of the Scots."[4] These, however, were only parchment levies; and before a single vessel was manned, or a single horseman had put his foot in the stirrup, the indefatigable Bruce had sent a second army into England, which ravished Redesdale and Tynedale, again marking their progress by the black ashes of the towns and villages, and compelling the miserable inhabitants of the border countries to surrender their whole wealth, and to purchase their lives with large sums of money.[5] From this they diverged in their destructive progress into Cumberland, and either from despair, or from inclination, and a desire to plunder, many of the English borderers joined the invading army, and swore allegiance to the Scottish king.[6]

Alarmed at these visitations, and finding little protection from the inactivity of Edward, and the disunion and intrigues of the nobility, the barons and clergy of the northern parts of England assembled at York; and having entered into a confederacy for the protection of their neighbourhood against the Scots, appointed four captains to command the forces of the country, and to adopt measures for the public safety. Edward immediately confirmed this nomination, and, for the pressing nature of the emergency, the measure was not impolitic; but these border troops soon forgot their allegiance, and, upon the failure of their regular supplies from the king's exchequer, became little better than the Scots themselves,

[1] Walsingham, p. 106.
[2] It was before the 10th of August. Rotuli Scotiæ, vol. i. p. 129.
[3] Chron. Lanercost, p. 228.
[4] Rotuli Scotiæ, vol. i. p. 129. 10th August 1314.
[5] Chron. Lanercost, p. 229.
[6] Rotuli Scotiæ, vol. i. pp. 152, 153.

plundering the country, and subsisting themselves by every species of theft, robbery,[1] and murder.

Robert wisely seized this period of distress and national dejection to make pacific overtures to Edward, and to assure him that, having secured the independence of his kingdom, there was nothing which he more anxiously desired than a firm and lasting peace between the two nations. Negotiations soon after followed. Four Scottish ambassadors met with the commissioners of England, and various attempts were made for the establishment of a perpetual peace, or at least of a temporary truce between the rival countries; but these entirely failed, owing, probably, to the high tone assumed by the Scottish envoys; and the termination of this destructive war appeared still more distant than before.[2] Towards the end of this year, the unfortunate John Baliol died in exile at his ancient patrimonial castle of Bailleul, in France, having lived to see the utter demolition of a power which had insulted and dethroned him. He had been suffered to retain a small property in England; and his eldest son appears to have been living in that country, and under the protection of Edward, at the time of his father's death.[3]

In addition to the miseries of foreign war and intestine commotion, England was now visited with a grievous famine, which increased to an excessive degree the prices of provisions, and, combined with the destructive inroads of the Scots, reduced the kingdom to a miserable condition. A parliament, which assembled at London in January, (1314–15,) endeavoured, with short-sighted policy, to provide some remedy in lowering the market price of the various necessaries of life; and making it imperative upon the seller either to dispose of his live stock at certain fixed rates, or to forfeit them to the crown[4]—a measure which a subsequent parliament found it necessary to repeal.[5] The same assembly granted to the king a twentieth of their goods, upon the credit of which he requested a loan from the abbots and priors of the various convents in his dominions, for the purpose of raising an army against the Scots.[6] But the king's credit was too low, the clergy too cautious, and the barons of the crown too discontented, to give efficiency to this intended muster, and no army appeared. The famine, which had begun in England, now extended to Scotland; and as that country became dependent upon foreign importation, the merchants of England, Ireland, and Wales were rigorously interdicted from supplying it with grain, cattle, arms, or any other commodities. Small squadrons of ships were employed to cruise round the island, so as to intercept all foreign supplies; and letters were directed to the Earl of Flanders, and to the Counts of Holland, Lunenburg, and Brabant, requesting them to put a stop to all commercial intercourse between their dominions and Scotland—a request with which these sagacious and wealthy little states peremptorily refused to comply.[7]

In the spring, another Scottish army broke in upon Northumberland, again ravaged the principality of Durham, sacked the seaport of Hartlepool, and, after collecting their plunder, compelled the inhabitants to redeem their property and their freedom by a high tribute. Carrying their

[1] Rotuli Scotiæ, vol. i. p. 137, 10th January 1314. Walsingham, p. 110. Lord Hailes has stated that Edward assembled a parliament at York in 1314, and quotes the Fœdera, vol. iii. pp. 491, 493, for his authority. This, I think, must be an error; as these pages rather prove that no parliament was then assembled, nor is there any writ for a parliament in Rymer in this year at all. Walsingham, p. 106, says, indeed, that the king held a great council at York, immediately after his flight from Bannockburn.

[2] Rotuli Scotiæ, vol. i. p. 131. Everwyk, 18th September 1314. See also pp. 132, 133, 6th October 1314.

[3] Fœdera, vol. iii. p. 506, 4th January 1315.

[4] Rotuli Parl. 8 Edw. II. n. 35, 86, quoted in Tyrrel, vol. iii. p. 263.

[5] Tyrrel, vol. iii. p. 265.

[6] Ibid. vol. iii. p. 263. Rymer, Fœdera, vol. iii. p. 511.

[7] Rotuli Scotiæ, vol. i. pp. 135, 136. Rymer, Fœdera, vol. iii. p. 770. Edward wrote also to the magistrates of Dam, Nieuport, Dunkirk, Ypre, and Mechlin, to the same import. Rotuli Scotiæ, 12 Edw. II. m. 8.

arms to the gates of York, they wasted the country with fire and sword, and reduced the wretched English to the lowest extremity of poverty and despair.[1] Carlisle, Newcastle, and Berwick, defended by strong fortifications, and well garrisoned, were now the only cities of refuge where there was security for property; and to these towns the peasantry flocked for protection, whilst the barons and nobility, instead of assembling their vassals to repel the common enemy, spent their time in idleness and jollity in the capital.[2]

An important measure, relating to the succession of the crown, now occupied the attention of the Estates of Scotland, in a parliament held at Ayr, on the 26th of April. By a solemn act of settlement, it was determined, with the consent of the king, and of his daughter and presumptive heir, Marjory, that the crown, in the event of Bruce's death, without heirs male of his body, should descend to his brother, Edward Bruce, a man of tried valour, and much practised in war. It was moreover provided, with consent of the king, and of his brother Edward, that, failing Edward and his heirs male, Marjory should immediately succeed; and failing her, the nearest heir lineally descended of the body of King Robert; but under the express condition that Marjory should not marry without the consent of her father, and failing him, of the majority of the Estates of Scotland. If it happened that either the king, or his brother Edward, or Marjory his daughter, should die leaving an heir male who was a minor, in that event Thomas Randolph, earl of Moray, was constituted guardian of the heir, and of the kingdom, till the Estates considered the heir of a fit age to administer the government in his own person; and in the event of the death of Marjory without children, the same noble person was appointed to this office, if he chose to accept the burden, until the states and community, in their wisdom, determined the rightful succession to the crown.[3]

Not long after this, the king bestowed his daughter Marjory in marriage upon Walter, the hereditary High Steward of Scotland; an important union, which gave heirs to the Scottish crown, and afterwards to the throne of the United Kingdoms.[4]

An extraordinary episode in the history of the kingdom now claims our attention. Edward Bruce, the king's brother, a man of restless ambition and undaunted enterprise, fixed his eyes upon Ireland, at this time animated by a strong spirit of resistance against its English masters; and having entered into a secret correspondence with its discontented chieftains, he conceived the bold idea of reducing that island by force of arms, and becoming its king.[5] A desire to harass England in a very vulnerable quarter, and a wish to afford employment, at a distance, to a temper which was so imperious at home,[6] that it began to threaten disturbance to the kingdom, induced the King of Scotland to agree to a project replete with difficulty; and Edward Bruce, with six thousand men, landed at Carrickfergus, in the north of Ireland, on the 25th of May 1315. He was accompanied by the Earl of Moray, Sir Philip Mowbray, Sir John Soulis, Sir Fergus of Ardrossan, and Ramsay of Ochterhouse. In a series of battles, which it would be foreign to the object of this history to enumerate, although they bear testimony to the excellent discipline of the Scottish knights and soldiers, Edward Bruce overran the provinces of Down, Armagh, Louth, Meath, and Kildare; but was compelled by want, and the

[1] Chronicle of Lanercost, pp. 230, 231.
[2] Walsingham, p. 107.
[3] Fordun a Goodal, vol. ii. pp. 256, 258. Robertson's Index, pp. 7, 8.
[4] Stuart's History of the Stewarts, p. 18.
[5] Barbour, p. 277.
[6] Neither Lord Hailes nor any other Scottish historian take notice of the ambitious and factious character of Edward Bruce, although Fordun expressly says:—"Iste Edwardus erat homo ferox, et magni cordis valde, nec voluit cohabitare fratri suo in pace, nisi dimidium regni solus haberet; et hac de causa mota fuit guerra in Hibernia, ubi ut præmittitur finivit vitam."—Fordun a Hearne, p. 1009.

reduced numbers of his little army, to retreat into Ulster, and despatch the Earl of Moray for new succours into Scotland. He was soon after crowned king of Ireland, and immediately after his assumption of the regal dignity laid siege to Carrickfergus. On being informed of the situation of his brother's affairs, King Robert intrusted the government of the kingdom to his son-in-law, the Steward, and Sir James Douglas. He then passed over to the assistance of the new king, with a considerable body of troops; and, after their junction, the united armies, having reduced Carrickfergus, pushed forward through the county Louth, to Slane, and invested Dublin; but being compelled to raise the siege, they advanced into Kilkenny, wasted the country as far as Limerick, and after experiencing the extremities of famine, and defeating the enemy wherever they made head against them, terminated a glorious but fruitless expedition, by a retreat into the province of Ulster, in the spring of 1317.[1]

The King of Scotland now returned to his dominions, taking along with him the Earl of Moray, but having left the flower of his army to support his brother in the possession of Ulster. A miserable fate awaited these brave men. After a long period of inaction, in which neither the Irish annals nor our early Scottish historians afford any certain light, we find King Edward Bruce encamped at Tagher, near Dundalk, at the head of a force of two thousand men, exclusive of the native Irish, who were numerous, but badly armed and disciplined. Against him, Lord John Bermingham, along with John Maupas, Sir Miles Verdon, Sir Hugh Tripton, and other Anglo-Irish barons, led an army which was strong in cavalry, and outnumbered the Scots by nearly ten to one. Edward, with his characteristic contempt of danger, and nothing daunted by the disparity of force, determined, against the advice of his oldest captains, to give the enemy battle. In the course of a three years' war, he had already engaged the Anglo-Irish forces eighteen times; and although his success had led to no important result, he had been uniformly victorious.[2] But his fiery career was now destined to be quenched, and his short-lived sovereignty to have an end. On the 5th of October 1318, the two armies joined battle, and the Scots were almost immediately discomfited.[3] At the first onset, John Maupas slew King Edward Bruce, and was himself found slain, and stretched upon the body of his enemy. Sir John Soulis and Sir John Stewart also fell; and the rout becoming general, the slaughter was great. A miserable remnant, however, escaping from the field, under John Thomson, the leader of the men of Carrick, made good their retreat to Carrickfergus, and from thence reached Scotland. Two thousand Scottish soldiers were left dead upon the spot, and amongst these some of Bruce's best captains.[4] Thus ended an expedition which, if conducted by a spirit of more judicious and deliberate valour than distinguished its prime mover, might have produced the most serious annoyance to England. Unmindful of the generous courtesy of Bruce's behaviour after the battle of Bannockburn, the English treated the body of the King of Ireland with studied indignity. It was quartered and distributed as a public spectacle over Ireland, and the head was presented to the English king by Lord John Bermingham, who, as a reward for his victory, was created Earl of Louth.[5]

Having given a continuous sketch of this disastrous enterprise, which, from its commencement till the death of Edward, occupied a period of three years, we shall return to the affairs of Scotland, where the wise administration of King Robert brought security and happiness to the people both at home and in their foreign relations.

The ships which had transported Edward Bruce and his army to Ireland were immediately sent home; and the

[1] Fordun a Hearne, p. 1008.

[2] I have here followed the authority of Barbour, p. 317.

[3] Barbour, p. 364.

[4] Their names will be found in Trivet, contin. p. 29.

[5] Rymer, Fœdera, vol. iii. p. 767.

king undertook an expedition against the Western Isles, some of which had acknowledged his dominion,[1] whilst others, under John of Argyle, the firm ally of England, had continued for a long time to harass and annoy the commerce of his kingdom. Although constantly occupied in a land war, during the course of which he had brought his army into a high state of discipline, Bruce had never been blind to the strength which he must acquire by having a fleet which could cope with the maritime power of his rival; and from the complaints of the English monarch in the state papers of the times, we know that on both sides of the island the Scottish vessels, and those of their allies, kept the English coast towns in a state of constant alarm.[2]

Their fleets seem to have been partly composed of privateers, as well Flemish as Scottish, which, under the protection of the king, roved about, and attacked the English merchantmen. Thus, during Edward Bruce's expedition, he met, when on the Irish coast, and surrounded with difficulties, with Thomas of Doune, a Scottish "scoumar," or freebooter, "of the se," who, with a small squadron of four ships, sailed up the river Ban, and extricated his countrymen from their[3] perilous situation.

In his expedition to the Isles, Bruce was accompanied by his son-in-law, the Steward of Scotland; and having sailed up the entrance of Loch Fine to Tarbet, he dragged his vessels upon a slide, composed of smooth planks of trees laid parallel to each other, across the narrow neck of land which separates the lochs of East and West Tarbet. The distance was little more than an English mile; and by this expedient Bruce not only saved the necessity of doubling the Mull of Kantire, to the small craft of those days often a fatal enterprise, but availed himself of a superstitious belief then current amongst the Western islanders, that they should never be subdued till their invader sailed across the isthmus of Tarbet.[4] The presence of the king in the Western Isles was soon followed by the submission of all the little pirate chiefs who had given him disturbance, and by the capture and imprisonment of John of Lorn, who, since his defeat at Cruachin Ben, had been constantly in the pay of Edward, with the proud title of Admiral of the Western fleet of England.[5] This island prince was first committed to Dumbarton castle, and afterwards shut up in the castle of Lochleven, where he died.[6] After the termination of his peaceful maritime campaign, the king indulged himself and his friends in the diversion of the chase; whilst at home, his army, under Douglas, continued to insult and plunder the English Border counties.[7] On his return from the Western Isles, Bruce undertook the siege of Carlisle; but, after having assaulted it for ten days, he was compelled, by the strength of the works and the spirit of its townsmen and garrison, to draw off his troops. Berwick, too, was threatened from the side next the sea by the Scottish ships, which attempted to steal up the river unperceived by the enemy, but were discovered, and bravely repulsed.[8] Against these reiterated insults, Edward, unable from his extreme unpopularity to raise an army, contented himself with querulous complaints, and with some ineffectual advances towards a reconciliation,[9] which as yet was far distant.

[1] Fœdera, vol. iii. p. 238.

[2] Rotuli Scot. vol. i. p. 151, date 6th November 1315.

[3] Barbour, book x. p. 288. In Leland, Collect. vol. i. p. 549, we find, in an extract from the Scala Chron., "One Cryne, a Fleming, an admiral, and great robber on the se, and in high favour with Robert Bruce."

[4] Barbour, p. 302. The fishermen constantly drag their boats across this neck of land. Tar-bat for trag-bat, or drag-boat.

[5] Rotuli Scotiæ, p. 121. This John of Lorn seems to be the same person as the John of Argyle, so frequently mentioned in the Rotuli.

[6] Barbour, p. 303.

[7] Leland, Collect. vol. i. p. 24. Douglas wasted Egremont, plundered St Bees' Priory, and destroyed two manors belonging to the prior. The work quoted by Leland is an anonymous MS. History of the Abbots of St Mary's, York, by a monk of the same religious house.

[8] Chron. Lanercost, pp. 230, 231, 264. This was in the end of July 1315.

[9] Rotuli Scotiæ, 9 Ed. II. m. 6, p. 149.

About this time, to the great joy of the King of Scotland and of the nation, the Princess Marjory bore a son, Robert, who was destined, after the death of David, his uncle, to succeed to the throne, and become the first of the royal house of Stewart; but grief soon followed joy, for the young mother died almost immediately after childbirth.[1]

Undaunted by the partial check which they had received before Carlisle and Berwick, the activity of the Scots gave the English perpetual employment. On one side they attacked Wales, apparently making descents from their ships upon the coast; and Edward, trembling for the security of his new principality, countermanded the Welsh levies which were about to join his army, and enjoined them to remain at home; but he accompanied this with an order to give hostages for their fidelity, naturally dreading the effect of the example of the Scots upon a nation whose fetters were yet new and galling.[2] On the other side, King Robert in person led his army, about midsummer, into Yorkshire, and wasted the country, without meeting an enemy, as far as Richmond. A timely tribute, collected by the neighbouring barons and gentlemen, saved this town from the flames; but this merely altered the order of march into the West Riding, which was cruelly sacked and spoiled for sixty miles round, after which the army returned with their booty and many prisoners.[3] Bruce then embarked for Ireland; and soon after, the English king, encouraged by his absence and that of Randolph, summoned his military vassals to meet him at Newcastle, and determined to invade Scotland with great strength; but the Earl of Lancaster, to whom the conduct of the enterprise was intrusted, and the barons of his party, having in vain waited at Newcastle for the king's arrival, returned home in displeasure;[4] so that the original design of Edward broke down into several smaller invasions, in repelling which the activity and military enterprise of Sir James Douglas, and the Steward, not only kept up, but materially increased, the Scottish ascendancy. In Douglas, the adventurous spirit of chivalry was finely united with the character of an experienced commander. At this time he held his quarters at Linthaughlee, near Jedburgh; and having information that the Earl of Arundel, with Sir Thomas de Richemont, and an English force of ten thousand men, had crossed the Borders, he determined to attack him in a narrow pass, through which his line of march lay, and which was flanked on each side by a wood. Having thickly twisted together the young birch trees on either side, so as to prevent escape,[5] he concealed his archers in a hollow way near the gorge of the pass, and when the English ranks were compressed by the narrowness of the road, and it was impossible for their cavalry to act with effect, he rushed upon them at the head of his horsemen, whilst the archers, suddenly discovering themselves, poured in a flight of arrows, so that the unwieldy mass was thrown into confusion, and took to flight. In the melee, Douglas slew Thomas de Richemont with his dagger; and although, from his inferiority of force, he did not venture to pursue the enemy into the open country, yet they were compelled to retreat with great slaughter.[6]

Soon after this, Edmund de Cailou, a knight of Gascony, whom Edward had appointed to be Governor of Berwick, was encountered by Douglas, as the foreigner returned to England loaded with plunder, from an inroad into Teviotdale. Cailou was killed; and, after the slaughter of many of the foreign mercenaries, the accumulated booty of the Merse and Teviotdale was recovered by the Scots.

1 Fordun a Goodal, book xii. c. 25. Hailes, vol. ii. p. 81. It is strange that Fordun himself does neither mention the birth of Robert the Second, nor the death of his mother. See Fordun a Hearne, p. 1008, 1009. Winton, too, says nothing of her death.

2 Rymer, Fœdera, vol. iii. p. 620. Rotuli Scotiæ, vol. i. p. 159, 4th August.

3 Chron. Lanercost, p. 233.

4 Tyrrel, vol. iii. p. 267.

5 Barbour, p. 324.

6 Ibid. p. 323.

Exactly similar to that of Cailou was the fate of Sir Ralph Neville. This baron, on hearing the high report of Douglas's prowess, from some of De Cailou's fugitive soldiers, openly boasted that he would fight with the Scottish knight, if he would come and shew his banner before Berwick. Douglas, who deemed himself bound to accept the challenge, immediately marched into the neighbourhood of that town, and, within sight of the garrison, caused a party of his men to waste the country and burn the villages. Neville instantly quitted Berwick with a strong body of men, and, encamping upon a high ground, waited till the Scots should disperse to plunder; but Douglas called in his detachment, and instantly marched against the enemy. After a desperate conflict, in which many were slain, Douglas, as was his custom, succeeded in bringing the leader to a personal encounter, and the superior strength and skill of the Scottish knight were again successful. Neville was slain, and his men utterly discomfited.[1] An old English chronicle ascribes this disaster to "the treason of the marchers;" but it is difficult to discover in what the treason consisted. Many other soldiers of distinction were taken prisoners, and Douglas, without opposition, ravaged the country, drove away the cattle, left the towns and villages in flames, and returned to Scotland. So terrible did the exploits of this hardy warrior become upon the Borders, that Barbour, who lived in his time, informs us the English mothers were accustomed to pacify their children by threatening them with the name of the "Black Douglas."[2]

Repulsed with so much disgrace in these attempts by land, the English monarch fitted out a fleet, and invaded Scotland, sailing into the Firth of Forth, and landing his armament at Donibristle. The panic created by the English was so great, that the sheriff of the county had difficulty in assembling five hundred cavalry; and these, intimidated by the superior numbers of the enemy, disgracefully took to flight. Fortunately, however, a spirited prelate, Sinclair, bishop of Dunkeld, who had more in him of the warrior than the ecclesiastic, received timely notice of this desertion. Putting himself at the head of sixty of his servants, and with nothing clerical about him, except a linen frock or rochet cast over his armour, he threw himself on horseback, and succeeded in rallying the fugitives, telling their leaders that they were recreant knights, and deserved to have their gilt spurs hacked off. "Turn," said he, seizing a spear from the nearest soldier, "turn, for shame, and let all who love Scotland follow me!" With this he furiously charged the English, who were driven back to their ships with the loss of five hundred men, besides many who were drowned by the swamping of one of the vessels. On his return from Ireland, Bruce highly commended his spirit, declaring that Sinclair should be his own bishop; and by the name of the King's Bishop this hardy prelate was long remembered in Scotland.[3]

Unable to make any impression with temporal arms, the King of England next had recourse to the thunders of spiritual warfare; and in the servile character of Pope John the Twenty-second, he found a fit tool for his purpose. By a bull, issued from Avignon, in the beginning of 1317, the Pope commanded the observance of a truce between the hostile countries for two years; but the style of this mandate evinced a decided partiality to England. Giving the title of King of England to Edward, he only designated Bruce as his beloved son, "carrying himself as King of Scotland;"[4] and when he despatched two cardinals as his legates into Britain, for the purpose of publishing this truce upon the spot, they were privately empowered, in case of any opposition, to inflict upon the King of Scotland the highest spiritual censures. In the same secret manner,

[1] Leland, Collect. vol. i. p. 547. Barbour, p. 309.

[2] Barbour, p. 310.

[3] Fordun a Goodal, vol. ii. p. 259.

[4] Rymer, Fœdera, vol. iii. p. 594.

he furnished them with a bull, to be made public if circumstances so required, by which Robert Bruce and his brother Edward were declared excommunicated persons.[1] The Pope also directed another bull against the order of Minorite Friars, who, by their discourses, had instigated the Irish to join the Scottish invaders, and rise in rebellion against the English government. These attempts to deprive him of his just rights, and to overawe him into peace, were met by a firm resistance on the part of Bruce; who, placed in a trying and delicate situation, evinced, in his opposition to the Papal interference, a remarkable union of unshaken courage, with sound judgment and good temper, contriving to maintain the independence of his crown; whilst, at the same time, he professed all due respect for the authority of his spiritual father, as head of the Church.

Charged with their important commissions, the cardinals arrived in England at the time when Lewis de Beaumont was about to be consecrated Bishop of Durham. Their first step was to despatch two nuncios, the Bishop of Corbeil and Master Aumery,[2] who were intrusted with the delivery of the Papal letters to the Scottish king, and with the bulls of excommunication. As Durham lay on their road, Master Aumery and his brother nuncio set out with the bishop elect, and a splendid suit of churchmen and barons, intending to be present at the inauguration. But it proved an ill-fated journey for these unfortunate envoys. The Borders at this time were in a wild and disorderly state. Many of the gentry and barons of England, as already noticed, had entered into armed associations for the defence of the marches against the destructive inroads of the Scots; but the habits of loose warfare, the extremities of famine, and the unpopularity of the king's person and government, had, in the course of years, transformed themselves and their soldiers into robbers, who mercilessly ravaged the country.[3] Anxious in every way to increase the confusions which then distracted the English government, the King of Scotland kept up an intelligence with these marauders; and, on the present occasion, aware of the hostility which was meditated against him by the cardinals, and of their attachment to his enemy, it seems very probable that he employed two leaders of these broken men, Gilbert de Middleton and Walter Selby, to intercept the nuncios, and make themselves masters of their letters and secret instructions. It is certain that, on the approach of the cavalcade to Rushy Ford, a large body of soldiers, headed by these lawless chiefs, rushed out from a wood near the road, and in a short time made the whole party prisoners; seized and stript of their purple and scarlet apparel the unfortunate Churchmen; rifled and carried off their luggage and horses; but, without offering violence to their persons, dismissed them to prosecute their journey to Scotland. The bishop elect and his brother, Henry de Beaumont, were carried to Middleton's castle of Mitford; nor were they liberated from their dungeon till their plate, jewels, and the rich vestments of the cathedral were sold to raise money for their ransom.[4]

Meanwhile the Papal nuncios, in disconsolate plight, proceeded into Scotland, and arrived at court. Bruce received them courteously, and listened with attention to the message with which they were charged.[5] Having then consulted with those of his counsellors who were present upon the proposals, he replied that he earnestly desired a firm peace between the kingdoms, to be procured by all honourable means, but that as long as he was only addressed as Governor of Scotland, and his own title of king withheld from him, it was impossible for him, without convening his whole council, and the other barons of his

[1] Dated 4th April 1317.

[2] Rymer, Fœdera, vol. iii. p. 661.

[3] Walsingham, p. 107.

[4] Tyrrel, Hist. vol. iii. p. 269. Hutchinson's History and Antiquities of Durham, p. 267. 1st Sept. 1317.

[5] Rymer, vol. iii. p. 662.

realm, to admit the cardinal legates to an interview; nor was it possible for him, before the Feast of St Michael, to summon any council for this purpose. "Among my subjects," said the king, "there are many bearing the name of Robert Bruce, who share, with the rest of my barons, in the government of the kingdom. These letters may possibly be addressed to them; and it is for this reason that, although I have permitted the Papal letters, which advise a peace, to be read, as well as your open letters on the same subject; yet to these, as they refuse to me my title of king, I will give no answer, nor will I by any means suffer your sealed letters, which are not directed to the King of Scotland, to be opened in my presence."

The nuncios, upon this, endeavoured to offer an apology for the omission, by observing that it was not customary for our holy mother, the Church, either to do or to say anything during the dependence of a controversy which might prejudice the right of either of the parties. "If, then," replied Bruce, "my spiritual father and my holy mother have professed themselves unwilling to create a prejudice against my opponent by giving to me the title of king, I am at a loss to determine why they have thought proper to prejudice my cause by withdrawing that title from me during the dependence of the controversy. I am in possession of the kingdom. All my subjects call me king, and by that title do other kings and royal princes address me; but I perceive that my spiritual parents assume an evident partiality amongst their sons. Had you," he continued, "presumed to present letters so addressed to other kings, you might have received an answer in a different style. But I reverence your authority, and entertain all due respect for the Holy See." The messengers now requested that the king would command a temporary cessation of hostilities. "To this," replied Bruce, "I can by no means consent without the advice of my parliament, and especially whilst the English are in the daily practice of spoiling the property of my subjects and invading all parts of my realm." During this interview, the king expressed himself with great courtesy, professing all respect for his spiritual father, and delivering his resolute answers with a mild and placid countenance.[1] The two nuncios, it seems, had taken along with them into the king's presence another Papal messenger, who, having come some time before to inform the Scottish prelates of the coronation of the Pope, had been refused admission into Scotland. For this person, who had now waited some months without being permitted to execute his mission, the messengers entreated the king's indulgence; but Bruce, although the discarded envoy stood in the presence-chamber, took no notice of him, and changed the subject with an expression of countenance which at once imposed silence and intimated a refusal. When the nuncios questioned the secretaries of the king regarding the cause of this severity, they at once replied that their master conceived that these letters had not been addressed to him, solely because the Pope was unwilling to give him his royal titles. The Scottish councillors informed the nuncios that if the letters had been addressed to the King of Scots, the negotiations for peace would have immediately commenced, but that neither the king nor his advisers would hear of a treaty so long as the royal title was withheld, seeing that they were convinced that this slight had been put upon their sovereign through the influence of England, and in contempt of the people of Scotland.[2]

Repulsed by Bruce with so much firmness and dignity, the Bishop of Corbeil returned with haste to the cardinals. They had remained all this time at Durham, and anxious to fulfil their mission, they now determined at all hazards to publish the Papal truce in Scotland. For this purpose the Papal bulls and instruments were in-

[1] These interesting particulars we learn from the original letter of the nuncios themselves. Rymer, Fœdera, vol. iii. p. 662.

[2] Rymer, Fœdera, vol. iii. p. 661.

trusted to Adam Newton, the Father-Guardian of the Minorite Friars of Berwick, who was commanded to repair to the presence of Bruce, and to deliver the letters of his Holiness to the King of Scotland, as well as to the Bishop of St Andrews and the Scottish prelates. Newton accordingly set out for Scotland, but, anticipating no cordial reception, cautiously left the Papal bulls and letters at Berwick until he should be assured of a safe-conduct. After a journey of much hardship and peril, the friar found King Robert encamped with his army in a wood near Old Cambus, a small town about twelve miles distant from Berwick, busily engaged in constructing warlike engines for the assault of that city, although it was now the middle of December. Having conferred with Lord Alexander Seton, the seneschal of the king, and received a safe-conduct, Newton returned for his papers and credentials to Berwick, and again repaired to Old Cambus. He was then informed by Seton that Bruce would not admit him to a personal interview, but that he must deliver to him his letters, in order to their being inspected by the king, who was anxious to ascertain whether their contents were friendly or hostile. Newton obeyed, and Bruce observing that the letters and Papal instruments were not addressed to him as King of Scotland, returned them to the friar with much contempt, declaring that he would on no account obey the bulls so long as his royal titles were withheld, and that he was determined to make himself master of Berwick. The envoy then publicly declared before the Scottish barons and a great concourse of spectators that a two years' truce was, by the authority of the Pope, to be observed by the two kingdoms; but his proclamation was treated with such open marks of insolence and contempt, that he began to tremble for the safety of his person, and earnestly implored them to permit him to pass forward into Scotland to the presence of those prelates with whom he was commanded to confer, or, at least, to have a safe-conduct back again to Berwick. Both requests were denied him, and he was commanded, without delay, to make the best of his way out of the country. On his way to Berwick, the unfortunate monk was waylaid by four armed ruffians, robbed of his letters and papers, amongst which were the bulls excommunicating the King of Scotland, and, after being stript to the skin, turned naked upon the road. "It is rumoured," says he, in an interesting letter addressed to the cardinals containing the account of his mission, "that the Lord Robert and his accomplices, who instigated this outrage, are now in possession of the letters intrusted to me."[1] There can be little doubt that the rumour rested on a pretty good foundation.

Throughout the whole of this negotiation, the Pope was obviously in the interest of the King of England. Edward's intrigues at the Roman court, and the pensions which he bestowed on the cardinals, induced his Holiness to proclaim a truce, which, in the present state of English affairs, was much to be desired; but Bruce, supported by his own clergy, and secure of the affections of his people, despised all Papal interference, and succeeded in maintaining the dignity and independence of his kingdom.

Having rid himself of such troublesome opposition, the Scottish king determined to proceed with the siege of Berwick, a town which, as the key to England, was at this time fortified in the strongest manner. Fortunately for the Scots, Edward had committed its defence to a governor, whose severity and strict adherence to discipline had disgusted some of the burgesses; and one of these, named Spalding,[2] who had married a Scotch-woman, was seduced from his allegiance, and determined, on the night when it was his turn to take his part in the watch rounds, to assist the enemy in an escalade. This purpose he communicated to the Marshal, and

[1] Rymer, Fœdera, pp 683, 684.

[2] Hardynge in his Chronicle, p. 308, Ellis' edition, tells us that Spalding, after betraying the town, went into Scotland, and was slain by the Scots.

he carried the intelligence directly to Bruce himself, who was not slow in taking advantage of it.[1] Douglas and Randolph, along with March, were commanded to assemble with a chosen body of men at Duns Park in the evening; and at nightfall, having left their horses at the rendezvous, they marched to Berwick; and, by the assistance of Spalding, fixed their ladders, and scaled the walls. Orders seem to have been given by Bruce that they should not proceed to storm the town till reinforced by a stronger body; but Douglas and Randolph found it impossible to restrain their men, who dispersed themselves through the streets, to slay and plunder, whilst, panic-struck with the night attack, the citizens escaped over the walls, or threw themselves into the castle. When day arrived, this disobedience of orders had nearly been fatal to the Scots; for Roger Horsley, the governor of the castle,[2] discovering that they were but a handful of men, made a desperate sally, and all but recovered the city. Douglas, however, and Randolph, who were veterans in war, and dreaded such an event, had kept their own soldiers well together, and, assisted by a young knight, Sir William Keith of Galston, who greatly distinguished himself, they at last succeeded in driving the English back to the castle; thus holding good their conquest of the town, till Bruce came up with the rest of his army, and effectually secured it. The presence of the king, with the men of Merse and Teviotdale, intimidated the garrison of the castle, which soon surrendered; and Bruce, with that generous magnanimity which forms so fine a part of his character, disdaining to imitate the cruelty of Edward the First, readily gave quarter to all who were willing to accept it. For this we have the testimony of the English historians, Thomas de la More, and Adam Murimuth, although the Pope, in his bull of excommunication, represents him as having seized Berwick by treachery during a time of truce; and charges him, moreover, with having committed a great and cruel slaughter of the inhabitants. Both accusations are unfounded.[3] The truce was publicly disclaimed by the king, and the city was treated with uncommon lenity. It was at this time the chief commercial emporium of England, and its plunder greatly enriched the Scottish army. There were also found in it great quantities of provisions and military stores, and Bruce, after having examined the fortifications, determined to make it an exception from his general rule of demolishing all fortresses recovered from the English.[4] In execution of this plan, he committed the keeping of both town and castle to his son-in-law, Walter, the Steward; and aware that, from its importance, the English would soon attempt to recover it, he provided it with every sort of warlike engine then used in the defence of fortified places. Springalds and cranes, with huge machines for discharging iron darts, called *balistæ de turno*, were stationed on the walls; a large body of archers, spearmen, and cross-bowmen, formed the garrison; and the young Steward was assisted in his measures of defence by John Crab, a Fleming, famous for his skill in the rude engineering of the times.[5] Five hun-

[1] Barbour, p. 334.

[2] Rotuli Scotiæ, vol. i. p. 175, 19th August. Lord Hailes, vol. ii. p. 78, seems to think it an error in Tyrrel to imagine that there was a governor of the town, and a governor of the castle. But Tyrrel is in the right. John of Witham was governor or warder of the town, Rot. Scot. vol. i. p. 178, 30th Sept. 1317; and Roger of Horsle governor of the castle, Rotuli Scotiæ, p. 175. Maitland, vol. i. p. 490, and Guthrie, vol. ii. p. 254, finding in Rymer, vol. iii. p. 516, that Maurice de Berkeley was governor of the town and castle of Berwick in 1315, erroneously imagine that he continued to be so in 1318.

[3] Rymer, Fœdera, vol. iii. pp. 708, 709.

[4] Fordun a Goodal, p. 245.

[5] Barbour, pp. 339, 340. Crab seems to have been a mercenary who engaged in the service of any who would employ him. In 1313, Edward the Second complained of depredations committed by him on some English merchants, to his sovereign, Robert, earl of Flanders. Fœdera, vol. iii. p. 403. In August 1333, after Berwick fell into the hands of the English, Crab obtained a pardon, and entered into the service of England.

dred brave gentlemen, who quartered the arms of the Steward, repaired to Berwick, to the support of their chief; and Bruce, having left it victualled for a year, marched with his army into England, and ravaged and laid waste the country. He besieged and made himself master of the castles of Wark and Harbottle, surprised Mitford, and having penetrated into Yorkshire, burnt the towns of Northallerton, Boroughbridge, Scarborough, and Skipton in Craven. The plunder in these expeditions was great, and the number of the captives may be estimated from the expression of an ancient English chronicle, that the Scots returned into their own country, driving their prisoners like flocks of sheep before them.[1]

Irritated at the contempt of their authority, the cardinal legates solemnly excommunicated Bruce[2] and his adherents; whilst Edward, after an ineffectual attempt to conciliate his parliament and keep together his army, was compelled, by their violent animosities, to disband his troops, and allow the year to pass away in discontent and inactivity. Meanwhile, the death of King Edward Bruce in Ireland, and of Marjory, the king's daughter, who left an only son, Robert, afterwards king, rendered some new enactments necessary regarding the succession to the throne. A parliament was accordingly assembled at Scone in December, in which the whole clergy and laity renewed their engagements of obedience to the king, and promised to assist him faithfully, to the utmost of their power, in the preservation and defence of the rights and liberties of the kingdom, against all persons of whatever strength, power, and dignity they may be; and any one who should attempt to violate this engagement and ordinance was declared guilty of treason. It was next enacted that, in the event of the king's death, without issue male, Robert Stewart, son of the Princess Marjory and of Walter, the Lord High Steward of Scotland, should succeed to the crown; and in the event of that succession taking place during the minority of Robert Stewart, or of other heir of the king's body, it was appointed that the office of tutor to the heir of the kingdom should belong to Thomas Randolph, earl of Moray, and failing him, to James, lord Douglas; but it was expressly provided that such appointment should cease whenever it appeared to the majority of the community of the kingdom that the heir is of fit age to administer the government in person. It was also declared that since, in certain times past, some doubts had arisen regarding the succession of the kingdom of Scotland, the parliament thought proper to express their opinion that this succession ought not to have been regulated, and henceforth should not be determined, by the rules of inferior fiefs and inheritances, but that the male heir nearest to the king, in the direct line of descent, should succeed to the crown; and failing him, the nearest female in the direct line; and failing the whole direct line, the nearest male heir in the collateral line—respect being always had to the right of blood by which the last king reigned, which seemed agreeable to the imperial law.[3]

This enactment having been unanimously agreed to, Randolph and Douglas came forward, and, after accepting the offices provisionally conferred upon them, swore, with their hands on the holy gospels and the relics of the saints, faithfully and diligently to discharge their duty, and to observe, and cause to be observed, the laws and customs of Scotland. After this, the bishops, abbots, priors, and inferior clergy, the earls, barons, knights, freeholders, and the remanent members of the community of Scotland, in the same solemn manner took the same oath, and those of the highest rank affixed their seals to the instrument of succession.[4]

Having settled this important matter, various other laws were passed,

1 Chron. Lanercost, pp. 235, 236.
2 Rymer, Fœdera, vol. iii. pp. 707, 711.
3 Fordun a Goodal, vol. ii. p. 290.
4 Ibid. vol. i. p. 291.

relative to the military power, and to the ecclesiastical and civil government of the kingdom. All men were required to array themselves for war. Every layman possessed of land, who had ten pounds worth of movable property, was commanded to provide himself with an acton and a *basnet*, that is, a leathern jacket and a steel helmet, together with gloves of plate, and a sword and spear. Those who were not thus provided were enjoined to have an iron jack, or back and breastplate of iron, an iron head-piece, or *knapiskay*, with gloves of plate; and every man possessing the value of a cow was commanded to arm himself with a bow and a sheaf of twenty-four arrows, or with a spear.[1] It was made imperative upon all sheriffs and lords to insist on the execution of this law; and in case of disobedience, to cause the recusant to forfeit his movable estate, half to the king, and half to his overlord, or superior. All persons, while on the road to the royal army, were commanded to subsist at their own charges; those who came from places near the rendezvous being commanded to bring carriages and provisions along with them, and those from remote parts to bring money; and if, upon an offer of payment, such necessaries were refused, the troops were authorised, at the sight of the magistrates or bailies of the district, to take what was withheld. All persons were strictly prohibited from supplying the enemy with armour or horses, bows and arrows, or any kind of weapons, or to give to the English assistance in any shape whatever, and this under the penalty of being guilty of a capital offence. All ecclesiastics were prohibited from transmitting to the Papal court any sums of money for the purchase of bulls; and all Scotsmen, who, although possessed of estates in their own country, chose to reside in England, were prohibited from drawing any money out of Scotland,—a clause apparently directed against David de Strabogie, earl of Athole, who at this time stood high in the confidence of Edward the Second.[2]

This weak monarch, when he found that Bruce could not be brought to terms by negotiation, or intimidated by the Papal thunders, determined once more to have recourse to arms; and having assembled an army, he crossed the Tweed, and sat down before Berwick.[3] His first precaution was to secure his camp by lines of circumvallation, composed of high ramparts and deep trenches, so as to enable him to resist effectually any attempt of the Scots to raise the siege. He then strictly invested the town from the Tweed to the sea, and at the same time the English fleet entered the estuary of the river, so that the city was beleaguered on all points. This was in the beginning of September; and from the strength of the army and the quality of the leaders much was expected.[4]

The first assault was made on the 7th of the month; it had been preceded by great preparations, and mounds of earth had been erected against that part of the walls where it was expected there would be the greatest facility in storming. Early in the morning of St Mary's Eve, the trumpets of the English were heard, and the besiegers advanced in various bodies, well provided with scaling ladders, scaffolds, and defences, with hoes and pickaxes for mining, and under cover of squadrons of archers and slingers. The assault soon became general, and continued with various success till noon; at which time the English ships entered the river, and, sailing up as far as the tide permitted, made a bold attempt to carry the town, from the rigging of a vessel which they had prepared for the purpose. The topmast of this vessel, and her boat, which was drawn up half-mast high, were manned with soldiers; and to the bow of the boat was fitted a species of drawbridge, which was intended to be dropt upon the wall, and to afford a passage from the ship

[1] Regiam Majestatem. Statutes of King Robert I. See Chartulary of Aberbrothock, p. 283. M'Farlane Transcript.

[2] Regiam Majestatem. Stat. Robert I.

[3] Barbour, p. 342.

[4] Ibid. p. 343.

into the town. The walls themselves, which were not more than a spear's length in height, afforded little defence against these serious preparations; but the Scots, animated by that feeling of confidence which a long train of success had inspired, and encouraged by the presence and example of the Steward, effectually repulsed the enemy on the land side, whilst the ship, which had struck upon a bank, was left dry by the ebbing of the tide; and being attacked by a party of the enemy, was soon seen blazing in the mouth of the river. Disheartened by this double failure, the besiegers drew off their forces, and for the present intermitted all attack.[1] But it was only to commence new preparations for a more desperate assault. In case of a second failure in their escalade, it was determined to undermine the walls; and for this purpose, a huge machine was constructed, covered by a strong roofing of boards and hides, and holding within its bosom large bodies of armed soldiers and miners. From its shape and covering, this formidable engine was called a *sow*. To co-operate with the machine, movable scaffolds, high enough to overtop the walls, and capable of receiving parties of armed men, were erected for the attack; and undismayed at his first failure by sea, Edward commanded a number of ships to be fitted out similar to that vessel which had been burnt; but with this difference, that in addition to the armed boats, slung half-mast high, their top-castles were full of archers, under whose incessant and deadly discharge it was expected that the assailants would drag the ship so near the walls as to be able to fix their movable bridges on the capstone.[2] Meanwhile the Scots were not idle. Under the direction of Crab, the Flemish engineer, they constructed two machines of great strength, similar to the Roman catapult, which moved on frames, fitted with wheels, and by which stones of a large size were propelled with steady aim and destructive force. Springalds were stationed on the walls, which were smaller engines like the ancient balistæ, and calculated for the projection of heavy darts, winged with copper; iron chains, with grappling hooks attached to them, and piles of fire-fagots, mixed with bundles of pitch and flax, bound into large masses, shaped like casks, were in readiness; and to second the ingenuity of Crab, an English engineer, who had been taken prisoner in the first assault, was compelled to assist in the defence. The young Steward assigned, as before, to each of his officers a certain post on the walls, and put himself at the head of the reserve, with which he determined to watch, and, if necessary, to reinforce the various points. Having completed these arrangements, he calmly awaited the attack of the English, which was made with great fury early in the morning of the 13th of September. To the sound of trumpet and war-horns, their various divisions moved resolutely forward; and, in spite of all discharges from the walls, succeeded in filling up the ditch, and fixing their ladders; but after a conflict, which lasted from sunrise till noon, they found it impossible to overcome the gallantry of the Scots, and were beaten back on every quarter. At this moment the King of England ordered the sow to be advanced; and the English, aware that if they allowed the Scottish engineers time to take a correct aim, a single stone from the catapult would be fatal, dragged it on with great eagerness. Twice was the aim taken, and twice it failed. The stone flew over the machine, the first second fell short of it; the third, an immense mass, which passed through the air with a loud booming noice, hit it directly in the middle with a dreadful crash, and shivered its strong roof-timbers into a thousand pieces. Such of the miners and soldiers who escaped death rushed out from amongst the fragments; and the Scots, raising a shout, cried out that the English sow had farrowed her pigs.[3] Crab, the engineer, immediately cast his chains

[1] Barbour, pp. 345, 346.
[2] Ibid. pp. 351, 352.
[3] Barbour, p. 354.

and grappling hooks over the unwieldy machine, and having effectually prevented its removal, poured down burning fagots upon its broken timbers, and consumed it to ashes. Nor were the English more fortunate in their attack upon the side of the river. Their ships, indeed, moved up towards the walls at flood-tide; but whether from the shallowness of the water, or the faint-heartedness of their leaders, the attack entirely failed. One of the vessels which led the way, on coming within range of the catapult, was struck by a large stone, which damaged her, and killed and mangled some of the crew; upon which the remaining ships, intimidated by the accident, drew off from the assault. A last effort of the besiegers, in which they endeavoured to set fire to St Mary's gate, was repulsed by the Steward in person; and at nightfall the English army, foiled on every side, and greatly disheartened, entirely withdrew from the assault.[1]

The spirit with which the defence was carried on may be estimated from the circumstance that the women and boys in the town during the hottest season of the assault supplied the soldiers on the walls with bundles of arrows, and stones for the engines.

Although twice beaten off, it was yet likely that the importance of gaining Berwick would have induced the King of England to attempt a third attack; but Bruce determined to raise the siege by making a diversion on a large scale, and directed Randolph and Douglas, at the head of an army of fifteen thousand men, to invade England. During the presence of her husband at the siege of Berwick, the Queen of England had taken up her quarters near York, and it was the plan of these two veteran warriors, by a rapid and sudden march through the heart of Yorkshire, to seize the person of the queen, and, with this precious captive in their hands, to dictate the terms of peace to her husband.[2] Bruce, who, in addition to his talents in the field, had not neglected to avail himself in every way of Edward's unpopularity, appears to have established a secret correspondence, not only with the Earl of Lancaster, who was then along with his master before Berwick, but with others about the queen's person.[3] The plan had in consequence very nearly been successful; but a Scottish prisoner, who fell into the hands of the English, gave warning of the meditated attack, and Randolph, on penetrating to York, found the prey escaped, and the court removed to a distance. Incensed at this disappointment, they ravaged the surrounding country with merciless execution, marking their progress by the flames and smoke of towns and castles, and collecting much plunder.

The military strength of the country was at this time before Berwick, and nothing remained but the forces of the Church, and of the vassals who held lands by military service to the archiepiscopal see. These were hastily assembled by William de Melton, the archbishop of York, assisted by the Bishop of Ely,[4] and a force of twenty thousand men, but of a motley description, proceeded to intercept the Scots. Multitudes of priests and monks, whose shaved crowns suited ill with the steel basnet—large bodies of the feudal militia of the Church, but hastily levied, and imperfectly disciplined—the mayor of York, with his train-bands and armed burgesses, composed the army which the archbishop, emulous, perhaps, of the fame which had been acquired in the battle of the Standard, by his predecessor Thurstin, too rashly determined to lead against the experienced soldiers of Randolph and Douglas. The result was what might have been expected. The Scots were encamped at Mitton, near the small river Swale. Across the stream there was then a bridge, over which the English army defiled. Whilst thus occupied, some large stacks of

[1] Barbour, p. 357.

[2] "Certe si capta fuisset tunc Regina, credo quod pacem emisset sibi Scotia."—M. Malmesbur. p. 192.

[3] Walsingham, pp. 111, 112.

[4] Rotuli Scotiæ, vol. i. p. 202. 4th Sept., 13 Edw. II.

hay were set on fire by the enemy,[1] and, under cover of a dense mass of smoke, a strong column of men threw themselves between the English army and the bridge. As the smoke cleared away, they found themselves attacked with great fury both in front and rear, by the fatal long spear of the Scottish infantry; and the army of the archbishop was in a few moments entirely broken and dispersed.[2] In an incredibly short time four thousand were slain, and amongst these many priests, whose white surplices covered their armour. Great multitudes were drowned in attempting to recross the river, and it seems to have been fortunate for the English that the battle was fought in the evening, and that a September night soon closed upon the field; for, had it been a morning attack, it is probable that Randolph and Douglas would have put the whole army to the sword. Three hundred ecclesiastics fell in this battle; from which circumstance, and in allusion to the prelates who led the troops, it was denominated, in the rude pleasantry of the times, "The Chapter of Mitton." When the news of the disaster reached the camp before Berwick, the troops began to murmur, and the Earl of Lancaster soon after, in a fit of disgust, deserted the leaguer with his whole followers, composing nearly a third part of the army.[3] Edward immediately raised the siege, and made a spirited effort to intercept Douglas and Randolph on their return, and compel them to fight at a disadvantage; but he had to deal with veteran soldiers, whose secret information was accurate, and who were intimately acquainted with the Border passes. While he attempted to intercept them by one road, they had already taken another, and leaving their route to be traced, as their advance had been, by the flames and smoke of villages and hamlets, they returned, without experiencing a check, into Scotland, loaded with booty, and confirmed in their feeling of military superiority. It may give some idea of the far-spreading devastation occasioned by this and similar inroads of the Scottish army when it is stated that in an authentic document in the Fœdera Angliæ it appears that eighty-four towns and villages were burnt and pillaged by the army of Randolph and Douglas in this expedition. These, on account of the great losses sustained, are, by a royal letter addressed to the tax-gatherers of the West Riding of Yorkshire, exempted from all contribution;[4] and in this list the private castles and hamlets which were destroyed in the same fiery inroad do not appear to be included.

Bruce could not fail to be particularly gratified by these successes. Berwick, not only the richest commercial town in England, but of extreme importance as a key to that country, remained in his hands, after a siege directed by the King of England in person; and the young warrior who had so bravely repulsed the enemy was the Steward of Scotland, the husband of his only daughter, on whom the hopes and wishes of the nation mainly rested. The defeat upon the Swale was equally destructive and decisive, and it was followed up by another expedition of the restless and indefatigable Douglas, who, about All-Hallow tide of the same year, when the northern Borders had gathered in their harvest, broke into and burnt Gillsland and the surrounding country, ravaged Borough-on-Stanmore, and came sweeping home through Westmoreland and Cumberland, driving his cattle and his prisoners before him, and cruelly adding to the miseries of the recent famine, by a total destruction of the agricultural produce, which had been laid up for the winter.[5]

It was a part of the character of Bruce, which marked his great abilities, that he knew as well when to make peace as to pursue war; and that, after any success, he could select the

[1] Hardynge's Chronicle, p. 309.
[2] J. de Trokelowe, p. 45. Hume's Douglas and Angus, vol. i. pp. 69, 70. Barbour, p. 350.
[3] Barbour, p. 359.
[4] Rymer, Fœdera, vol. iii. pp. 801, 802.
[5] Hume's Douglas and Angus, vol. i. p. 70.

moment best fitted for permanently securing to his kingdom the advantages which, had he reduced his enemy to extremity, might have eluded his grasp. The natural consequence of a long series of defeats sustained by Edward was an anxious desire upon his own part, and that of his parliament, for a truce between the kingdoms;[1] and as the Scots were satiated with victory, and, to use the words of an English historian, so enriched by the plunder of England that that country could scarcely afford them more, the Scottish king lent a ready ear to the representations of the English commissioners, and agreed to a truce for two years between the kingdoms, to commence from Christmas 1319. Conservators of the truce were appointed by England,[2] and, in the meantime, commissioners of both nations were directed to continue their conferences, with the hope of concluding a final peace.

One great object of Bruce in consenting to a cessation of hostilities, was his earnest desire to be reconciled to the Roman See—a desire which apparently was far from its accomplishment; for the Pope, instead of acting as a peace-maker, seized this moment to reiterate his spiritual censures against the King of Scotland and his adherents, in a bull of great length, and unexampled rancour;[3] and some time after the final settlement of the truce, the Archbishop of York, with the Bishops of London and Carlisle, were commanded—and the order is stated to have proceeded on information communicated by Edward—to excommunicate Robert and his accomplices, on every Sabbath and festival-day throughout the year.[4]

Convinced by this conduct that their enemies had been busy in misrepresenting at the Roman court their causes of quarrel with England, the Scottish nobility assembled in parliament at Aberbrothock,[5] and with consent of the king, the barons, freeholders, and whole community of Scotland, directed a letter or manifesto to the Pope, in a strain different from that servility of address to which the spiritual sovereign had been accustomed.

After an exordium, in which they shortly allude to the then commonly believed traditions regarding the emigration of the Scots from Scythia, their residence in Spain, and subsequent conquest of the Pictish kingdom; to their long line of a hundred and thirteen kings, (many of whom are undoubtedly fabulous;) to their conversion to Christianity by St Andrew, and the privileges which they had enjoyed at the hands of their spiritual father, as the flock of the brother of St Peter, they describe, in the following energetic terms, the unjust aggression of Edward the First:—

"Under such free protection did we live, until Edward, king of England, and father of the present monarch, covering his hostile designs under the specious disguise of friendship and alliance, made an invasion of our country at the moment when it was without a king, and attacked an honest and unsuspicious people, then but little experienced in war. The insults which this prince has heaped upon us, the slaughters and devastations which he has committed; his imprisonments of prelates, his burning of monasteries, his spoliations and murder of priests, and the other enormities of which he

[1] Walsingham, p. 112. "Igitur Rex, sentiens quotidie sua damna cumulari, de communi consilio in treugas jurat biennales, Scotis libenter has acceptantibus, non tamen quia jam fuerant bellis fatigati, sed quia fuerant Anglica præda ditati." Lingard says nothing of the request of the parliament, that Edward would enter into a truce with the Scots, but observes, that the first proposal for a negotiation came from Scotland, and that the demand for the regal title was waved by Bruce. The truce itself is not published in Rymer, so that there is no certain proof that Bruce waved the regal title; and although, in the document in Rymer, vol. iii. p. 806, Edward, in a letter to the Pope, states that Bruce made proposals for a truce, the evidence is not conclusive, as Edward, in his public papers, did not scruple to conceal his disasters, by assuming a tone of superiority, when his affairs were at the lowest ebb.

[2] This is said to be the first instance of the appointment of Conservators of truce for the Borders. Ridpath, Border Hist. p. 265.

[3] Rymer, Fœdera, vol. iii. p. 797.

[4] Rymer, Fœdera, vol. iii. p. 810.

[5] April 6, 1320. Fordun a Goodal, vol. ii. p. 277.

has been guilty, can be rightly described, or even conceived, by none but an eye-witness. From these innumerable evils have we been freed, under the help of that God who woundeth and who maketh whole, by our most valiant prince and king, Lord Robert, who, like a second Maccabæus or Joshua, hath cheerfully endured all labour and weariness, and exposed himself to every species of danger and privation, that he might rescue from the hands of the enemy his ancient people and rightful inheritance, whom also Divine Providence, and the right of succession according to those laws and customs, which we will maintain to the death, as well as the common consent of us all, have made our prince and king. To him are we bound both by his own merit and by the law of the land, and to him, as the saviour of our people and the guardian of our liberty, are we unanimously determined to adhere; but if he should desist from what he has begun, and should shew an inclination to subject us or our kingdom to the King of England or to his people, then we declare that we will use our utmost effort to expel him from the throne as our enemy and the subverter of his own and of our right, and we will choose another king to rule over us, who will be able to defend us; for as long as a hundred Scotsmen are left alive we will never be subject to the dominion of England. It is not for glory, riches, or honour that we fight, but for that liberty which no good man will consent to lose but with his life.

"Wherefore, most reverend father, we humbly pray, and from our hearts beseech your Holiness to consider that you are the vicegerent of Him with whom there is no respect of persons, Jews or Greeks, Scots or English; and turning your paternal regard upon the tribulations brought upon us and the Church of God by the English, to admonish the King of England that he should be content with what he possesses, seeing that England of old was enough for seven or more kings, and not to disturb our peace in this small country, lying on the utmost boundaries of the habitable earth, and whose inhabitants desire nothing but what is their own."

The barons proceed to say that they are willing to do everything for peace which may not compromise the freedom of their constitution and government; and they exhort the Pope to procure the peace of Christendom, in order to the removal of all impediments in the way of a crusade against the infidels; declaring the readiness with which both they and their king would undertake that sacred warfare if the King of England would cease to disturb them. Their conclusion is exceedingly spirited:—

"If," say they, "your Holiness do not sincerely believe these things, giving too implicit faith to the tales of the English, and on this ground shall not cease to favour them in their designs for our destruction, be well assured that the Almighty will impute to you that loss of life, that destruction of human souls, and all those various calamities which our inextinguishable hatred against the English and their warfare against us must necessarily produce. Confident that we now are, and shall ever, as in duty bound, remain obedient sons to you, as God's vicegerent, we commit the defence of our cause to that God, as the great King and Judge, placing our confidence in Him, and in the firm hope that He will endow us with strength and confound our enemies; and may the Almighty long preserve your Holiness in health."

This memorable letter is dated at Aberbrothock on the 6th of April 1320, and it is signed by eight earls and thirty-one barons, amongst whom we find the great officers, the high steward, the seneschal, the constable, and the marshal, with the barons, freeholders, and whole community of Scotland.[1]

The effect of such a remonstrance, and the negotiations of Sir Edward Mabuisson and Sir Adam de Gordon, two special messengers, who were sent

[1] A fac-simile of this famous letter was engraved by Anderson, in his Diplomata Scotiæ, plate 51. Fordun a Goodal, vol. ii. p. 275.

by Bruce to the Papal court, induced his Holiness to delay for some time the reiterated publication of the Papal processes, and earnestly to recommend a peace between the two countries. For this purpose a meeting took place between certain Scottish and English commissioners, which was attended by two envoys from the King of France, who entreated to be allowed to act as a mediator, and by two nuncios from the Pope. But Edward was not yet sufficiently humbled to consent to the conditions stipulated by his antagonist; and Bruce was the less anxious to come to an agreement, as a dangerous civil insurrection, headed by the Earl of Lancaster, his secret friend and ally, had just broke out in England, and promised to give Edward full employment at home.[1]

In the midst of these unsuccessful negotiations for peace, a conspiracy of an alarming and mysterious nature against the life of the King of Scots was discovered, by the confession of the Countess of Strathern, who was privy to the plot. William de Soulis, the seneschal, or high butler of Scotland; Sir David de Brechin, nephew to the king, an accomplished knight, who had signalised himself in the Holy War; five other knights, Sir Gilbert de Malherbe, Sir John Logie, Sir Eustace de Maxwell, Sir Walter de Berklay, and Sir Patrick de Graham; with three esquires, Richard Brown, Hameline de Troupe, and Eustace de Rattray, are the only persons whose names have come down to us as certainly implicated in the conspiracy. Of these, Sir David de Brechin, along with Malherbe, Logie, and Brown, suffered the punishment of treason.[2] The destruction of all record of their trial renders it difficult to throw any light on the details of the plot; but we have the evidence of a contemporary of high authority that the design of the conspirators was to slay the king, and place the crown on the head of Lord Soulis, a lineal descendant of the daughter of Alexander II.; and who, as possessing such a claim, would have excluded both Bruce and Baliol, had the legitimacy of his mother been unquestioned.[3] There is evidence in the records of the Tower that both Soulis and Brechin had long tampered with England, and been rewarded for their services. In the case of Brechin, we find him enjoying special letters of protection from Edward. In addition to these he was pensioned in 1312, was appointed English warden of the town and castle of Dundee, and employed in secret communications, having for their object the destruction of his uncle's power in Scotland, and the triumph of the English arms over his native country. It is certain that he was a prisoner of war in Scotland in the year 1315,[4] having probably been taken in arms at the battle of Bannockburn. In the five years of glory and success which followed, and in the repeated expeditions of Randolph and Douglas, we do not once meet with his name; and now, after having been received into favour, he became connected with, or at least connived at, a conspiracy, which involved the death of the king. Such a delinquent is little entitled to our sympathy. There was not a single favourable circumstance in his case; but he was young and brave, he had fought against the infidels, and the people who knew not of his secret treasons could not see him suffer without pity and regret.[5] Soulis, who, with a retinue of three hundred and sixty esquires, had been seized at Berwick, was imprisoned in Dumbarton, where he soon after died; and Maxwell, Berklay, Graham, Troupe, and Rattray, were tried and acquitted. The parliament in which these trials and condemnations took place was held at Scone in the beginning of August 1320, and long remembered in Scotland under the name of the Black Parliament.[6]

[1] Rymer's Fœdera, vol. iii. pp. 866, 884. Ridpath's Border History, p. 267. Rymer, vol. iii. p. 924.

[2] Fordun a Hearne, vol. iv. p. 1010.

[3] Barbour, p. 380, l. 385.

[4] Rymer, Fœdera, vol. iii. p. 311. Rotuli Scotiæ, 5 Edw. II. m. 3. Ibid. 8 Edw. II. m. 7, dorso.

[5] Barbour, pp. 381, 382.

[6] Hailes, trusting perhaps to Bower in his additions to Fordun, p. 174, who was ignorant

A brief gleam of success now cheered the prospects of Edward, and encouraged him to continue the war with Scotland. The Earl of Lancaster, who, along with the Earl of Hereford and other English barons, had entered into a treaty of alliance with Bruce, and concerted an invasion of England, to be conducted by the King of Scotland in person,[1] was defeated and taken prisoner by Sir Andrew Hartcla and Sir Simon Ward, near Pontefract; his army was totally routed, and he himself soon after executed for treason.

In the battle the Earl of Hereford was slain, others of the discontented nobility shared the fate of Lancaster, and the dangerous faction which had for so many years been a thorn in the side of the king was entirely broken and put down. Exulting at this success, Edward determined to collect an army which should at once enable him to put an end to the war, and in a tone of premature triumph wrote to the Pope, "requesting him to give himself no further trouble about a truce with the Scots, as he had determined to establish a peace by force of arms."[2] In furtherance of this resolution, he proceeded to issue his writs for the attendance of his military vassals; but so ill were these obeyed, that four months were lost before the force assembled; and in this interval the Scots, with their usual strength and fury, broke into England, led by the king in person, wasted with fire and sword the six northern counties, which had scarcely drawn breath from a visitation of the same kind by Randolph, and returned to Scotland, loaded with booty, consisting of herds of sheep and oxen, quantities of gold and silver, ecclesiastical plate and ornaments, jewels, and table equipage, which they piled in waggons, and drove off at their pleasure.[3] Meanwhile Edward continued his preparations, which, although dilatory, were on a great scale.[4] A supply of lancemen and cross-bowmen was demanded from his foreign subjects of Aquitaine, along with a due proportion of wheat and a thousand tuns of wine for the use of his army; every village and hamlet in England was commanded to furnish one foot-soldier fully armed, and the larger towns and cities were taxed proportionally to their size and importance. A parliament held at York, in the end of July, granted large subsidies from the nobles and the clergy, the cities, towns, and burghs; a fleet of transports, with provisions, was sent round to enter the Forth; and an offensive squadron, under the command of Sir John Leybourn, was fitted out for the attack of the west coast and the islands. All things being ready, Edward invaded Scotland at the head of an army of a hundred thousand men;[5] but the result of the expedition was lamentably disproportionate to the magnitude of his promises and his preparations; and manifested, in a striking manner, the superior talents and policy of Bruce.

No longer bound, as at Bannockburn, by the rash engagement of his brother to risk his kingdom upon the fate of a battle, which he must have fought with a greatly disproportionate force, the king determined to make the numbers of the English army the cause of their ruin; to starve them in an enemy's country, and then to fall upon them when, enfeebled by want, they could offer little resistance. Accordingly, on advancing to Edinburgh, the English found themselves marching through a desert, where neither enemy could be seen, nor provisions of any kind collected. The cattle and the sheep, the stores of corn and victuals, and the valuable effects of every kind, throughout the districts of the Merse, Teviot-

of Brechin's connexion with Edward, laments over Brechin, and creates an impression in the reader's mind that Bruce was unnecessarily rigorous, and might have pardoned him; yet, it seems to me, his case, instead of being favourable, was peculiarly aggravated. Bruce's generous nature had passed over manifold attempts by Brechin against the liberty of his country: in the conspiracy of Soulis, any extension of mercy would have been weak, if not criminal.

[1] Fœdera, vol. iii. pp. 938, 939.

[2] Rymer, Fœdera, vol. iii. p. 944.

[3] Knighton, p. 2542. Hume's History of House of Douglas and Angus, vol. i. p. 72.

[4] Rymer, Fœdera, vol. iii. pp. 930, 952, 955, 962.

[5] In the month of August 1322.

dale, and the Lothians, had entirely disappeared; the warlike population, which were expected to debate the advance of the army, had retired under the command of the King of Scotland to Culross, on the north side of the Firth of Forth; and Edward having in vain waited for supplies by his fleet, which contrary winds prevented entering the Firth, was compelled by famine to give orders for a retreat.[1] The moment the English began their march homewards, the Scots commenced the fatal partisan warfare in which Douglas and Randolph were such adepts; hung upon their rear, cut off the stragglers, and were ready to improve every advantage. An advanced party of three hundred strong were put to the sword by Douglas at Melrose; but the main army, coming up, plundered and destroyed this ancient monastery, spoiled the high altar of its holiest vessels, sacrilegiously casting out the consecrated host, and cruelly murdering the prior, and some feeble monks, who, from affection or bodily infirmity, had refused to fly.[2] Turning off by Dryburgh, the disappointed invaders left this monastery in flames, and hastening through Teviotdale, were overjoyed once more to find themselves surrounded by the plenty and comfort of their own country. Yet here a new calamity awaited them; for the scarcity and famine of an unsuccessful invasion induced the soldiers to give themselves up to unlimited indulgence; and they were soon attacked by a mortal dysentery, which rapidly carried off immense numbers, and put a finishing stroke to this unhappy expedition, by the loss of sixteen thousand men.[3]

But Edward was destined to experience still more unhappy reverses. Having collected the scattered remains of his army, and strengthened it by fresh levies, he encamped at Biland Abbey, near Malton, in Yorkshire; and when there, was met by the intelligence that King Robert, having sat down before Norham castle with a powerful force, after some time fruitlessly spent in the siege, had been compelled to retire. Scarce, however, had this good news arrived, when the advanced parties of the Scottish army were descried; and the English had only time to secure a strong position on the ridge of a hill, before the king was seen marching through the plain with his whole forces, and it became manifest that he meant to attack the English. This, however, from the nature of the ground, was no easy matter. Their soldiers were drawn up along the ridge of a rugged and steep declivity, assailable only by a single narrow pass, which led to Biland Abbey. This pass Sir James Douglas, with a chosen body of men, undertook to force; and as he advanced his banner, and the pennons of his knights and squires were marshalling and waving round him, Randolph, his friend and brother-in-arms, with four squires, came up, and joined the enterprise as a volunteer. The Scottish soldiers attacked the enemy with the utmost resolution, but they were received with equal bravery by Sir Thomas Ughtred[4] and Sir Ralph Cobham, who fought in advance of the column which defended the pass, and encouraged their men to a desperate resistance. Meanwhile, stones and other missiles were poured down upon the Scots from the high ground; and this double attack, with the narrowness of the pass, caused the battle to be exceeding obstinate and bloody. Bruce, whose eye intently watched every circumstance, determined now to repeat the manœuvre, by which, many years before, he entirely defeated the army of the Lord of Lorn, when it occupied ground similar to the present position of the English. He commanded the men of Argyle and the Isles to climb the

[1] Barbour, p. 370.
[2] Fordun a Hearne, p. 1011.
[3] Knighton, p. 2542. Barbour, pp. 373, 374. Fordun a Hearne, p. 1012.

[4] Ker, in his History of Bruce, vol. ii. p. 284, following Pinkerton, makes the name Enchter. The reading in Barbour, as restored by Dr Jamieson, is Thomas Ochtre. It is evidently the same name, and in all probability the same person, as Thomas de Uchtred, mentioned in vol. iii. p. 963, of the Fœdera, as the keeper of the castle and honour of Pickering, and described as being of the county of York.

rocky ridge, at some distance from the pass, and to attack and turn the flank of the force which held the summit. These orders the mountaineers, trained in their own country to this species of warfare, found no difficulty in obeying;[1] and the enemy were driven from the heights with great slaughter, whilst Douglas and Randolph carried the pass, and made way for the main body of the Scottish army.

So rapid had been the succession of these events, that the English king, confident in the strength of his position, could scarcely trust his eyes when he saw his army entirely routed, and flying in all directions; himself compelled to abandon his camp, equipage, baggage, and treasure, and to consult his safety by a precipitate flight, pursued by the young Steward of Scotland at the head of five hundred horse. It was with difficulty he escaped to Bridlington, having lost the privy seal in the confusion of the day.[2] This was the second time during this weak and inglorious reign that the privy seal of England had been lost amid the precipitancy of the king's flight from the face of his enemies. First, in the disastrous flight from Bannockburn, and now in the equally rapid decampment from the Abbey of Biland.[3] In this battle John of Bretagne, earl of Richmond, Henry de Sully, grand butler of France, and many other prisoners of note, fell into the hands of the enemy. Richmond was treated by the king with unusual severity, commanded into strict confinement, and only liberated after a long captivity, and at the expense of an enormous ransom. The cause of this is said to have been the terms of slight and opprobrium with which he had been heard to express himself against Bruce.[4] To Sully and other French knights, who had been taken at the same time, the king demeaned himself with that chivalrous and polished courtesy for which he was so distinguished; assuring them that he was well aware they had been present in the battle, not from personal enmity to him, but from the honourable ambition that good knights, in a strange land, must ever have, to shew their prowess; wherefore he entreated them, as well for their own sake as out of compliment to his friend, the King of France, to remain at head-quarters. They did so accordingly; and after some time, on setting out for France, were dismissed, not only free of ransom, but enriched with presents.[5] After this decisive defeat, the Scots plundered the whole country to the north of the Humber, and extended their ravages to Beverley, laying waste the East Riding with fire and sword, and levying from the towns and monasteries, which were rich enough to pay for their escape from plunder, large sums of redemption money.[6] The clergy and inhabitants of Beverley purchased their safety at the rate of four hundred pounds, being six thousand pounds of our present money. Loaded with booty, driving large herds of cattle before them, and rich in multitudes of captives, both of low and high degree, the Scottish army at length returned to their own country.[7]

The councils of the King of England continued after this to be weakened by dissension and treachery amongst his nobility. Hartela, who, for his good service in the destruction of the Lancastrian faction, had been created Earl of Carlisle; soon after, imitating the example of Lancaster, entered into a correspondence with Bruce,[8] and organised an extensive confederacy

1 Barbour, p. 376.
2 Rymer, Fœdera, vol. iii. p. 977.
3 Leland, Collect. vol. i. p. 250.
4 Barbour, p. 378.
5 Barbour, p. 379.
6 Ker's Bruce, vol. ii. p. 287.
7 Dr Lingard, (vol. iii. p. 442,) following the authority of John de Trokelowe, p. 64, has represented the battle of Biland Abbey as a skirmish, in which, after Edward had disbanded his army, Bruce surprised the English king, and the knights and suite who were with him. It appears to me that the accounts of Barbour, Fordun, and of Lord Hailes lead to a very different conclusion. In Dr Lingard's narrative, the determined resistance made by the English army, the storming of their encampment, the strong ground in which it was placed, and, indeed, the circumstance that there was an army at all with the king, is omitted.
8 Leland, Collect. vol. i. p. 466.

amongst the northern barons, which had for its object, not only to conclude a truce with the Scots, independent of any communication with the king, but to maintain Robert Bruce and his heirs in the right and possession of the entire kingdom of Scotland. On the discovery of the plot, he suffered the death of a traitor, after being degraded from his new honours, and having his gilt spurs hacked off his heels.[1] Henry de Beaumont, one of the king's councillors, was soon after this disgraced, and committed to the custody of the marshal, on refusing to give his advice in terms of insolence and audacity;[2] so that Edward, unsupported by an army, disgraced by personal flight, and betrayed by some of his most confidential nobility, whilst his kingdom had been incalculably weakened by a long and disastrous war, began to wish seriously for a cessation of hostilities. Nor was Bruce unwilling to entertain pacific overtures. He repelled, indeed, with becoming dignity, a weak attempt to refuse to acknowledge him as the principal leader and party in the truce,[3] and insisted on his recognition as chief of his Scottish subjects; but he consented, by the mediation of his friend, Henry de Sully, to a thirteen-years' truce. This truce, however, he ratified under the style and title of King of Scotland, and this ratification Edward agreed to accept;[4] thus virtually acknowledging the royal title which he affected to deny. But although desirous of peace, the conduct of the English monarch at this time was marked by dissimulation and bad faith. While apparently anxious for a truce, he employed his ambassadors at the Papal court to irritate the Holy Father against Bruce, and to fan the dissensions between them; he summoned an array of the whole military service of England during the negotiations; and he recalled Edward Baliol, the son of the late King of Scots, from his castle in Normandy, to reside at the English court,[5] with the design, as afterwards appeared, of employing him to excite disturbances in Scotland. To counteract these intrigues of England, Bruce despatched his nephew, Randolph, to the Papal court; and the result of his negotiations was in a high degree favourable to Scotland. Flattered by the judicious declarations of his master's devotion to the Holy See; soothed by the expression of his anxiety for a peace with England, and an entire reconciliation with the Church; and delighted with the ardour with which Bruce declared himself ready to repair in person to the Holy War, the Pontiff consented, under the influence of these feelings, to remove all cause of quarrel, by addressing a bull to Bruce, with the title of king.[6] It has been justly observed that the conduct of this delicate negotiation presents Randolph to us in the new character of a consummate politician.[7] Against this unexpected conduct of the Holy See Edward entered a spirited remonstrance, complaining, with great show of reason, that although the Pope maintained that Bruce's claim could not be strengthened, nor that of the King of England impaired, by his bestowing on his adversary the title of king, yet the subjects of both kingdoms would naturally conclude that his Holiness intended to acknowledge the right where he had given the title;[8] and he reminded him that it was against an established maxim of Papal policy that any alteration in the condition of the parties should be made during the continuance of the truce. At the same time, Randolph, previous to his return, repaired to the court of France, and there renewed the ancient league between that kingdom and Scotland.[9]

During these negotiations with the Papal court, a son was born to King Robert at Dunfermline,[10] who, after a long minority, succeeded his father,

[1] Ker's Hist. of Bruce, p. 289, vol. ii. Rymer, Fœdera, vol. iii. p. 999.
[2] Rymer, Fœdera, vol. iii. p. 1021.
[3] Hailes' Annals, vol. ii. p. 108. Rymer, Fœdera, vol. ii. p. 1003.
[4] Rymer, Fœdera, vol. iii. p. 1031.
[5] Fœdera, vol. iv. p. 62.
[6] Rymer, Fœdera, vol. iv. p. 29.
[7] Hailes, vol. ii. 4to, p. 113.
[8] Rymer, Fœdera, vol. iv. p. 46.
[9] Fordun a Goodal, vol. ii. p. 279.
[10] On 5th March 1323. Fordun a Goodal, book xiii. chap. 5.

under the title of David the Second. It was an event of great joy to the country; and the court poets of the day foretold that, like his illustrious father, the royal infant would prove a man strong in arms, "who would hold his war-like revels amid the gardens of England;" a compliment, unfortunately, not destined to be prophetic.[1] Meanwhile, the conferences for a lasting peace between the two kingdoms proceeded; but the demands made by the Scottish commissioners were considered too degrading to be accepted by England, even in her present feeble and disordered state. The discussions were tedious and complicated, but their particulars do not appear in the state papers of the time. If we may believe an ancient English historian,[2] it was insisted that all demand of feudal superiority was for ever to be renounced by England; the fatal stone of Scone, as well as certain manors in England belonging to the King of Scots, which had been seized by Edward the First, were to be delivered to their rightful owner. A marriage between the royal blood of England and Scotland was to guarantee a lasting peace between the two kingdoms; and, finally, the whole of the north of England, as far as to the gates of York, was to be ceded to Scotland. This last demand, if really made, must have proceeded from an intention upon the part of the Scots to break off all serious negotiation. As soon indeed as Bruce became assured of the disingenuous conduct of Edward, in continuing his machinations at the Papal court, for the purpose of preventing the promised grant of absolution to him and to his people, it was natural that all thoughts of a cordial reconciliation should cease, more especially as the intrigues of England appear in this instance to have been successful.[3]

For some years after this the quiet current of national prosperity in Scotland, occasioned by the steady influence of good government, presents few subjects for the historian. Bruce's administration appears to have increased in strength and popularity; and the royal household, which had been lately gladdened by the birth of a young prince, was now cheered by an important bridal. Christian Bruce, the king's sister, and widow of the unfortunate Christopher Seton, espoused a tried and hardy soldier, Sir Andrew Moray of Bothwell, afterwards regent of the kingdom. Moray had been bred to war by Wallace; and it was a wise part of the policy of Bruce to attach to himself the bravest soldiers by matrimonial alliances. The joy of the country, however, at these happy events, was not long after overclouded by the death of Walter, the High Steward of Scotland, and son-in-law to the king. He seems to have been deeply and deservedly lamented. When only a stripling in war he had done good service at Bannockburn, and afterwards increased the promise of his fame by his successful defence of Berwick against the King of England in person.[4]

A treaty of alliance, offensive and defensive, between France and Scotland, was concluded at Corbeil by Randolph, in which it was agreed to make common cause in all future wars between England and either of the contracting parties; with the reservation, however, upon the part of Robert, that so long as the truce continued he should be free from the effects of such an engagement.[5] Soon after this, a parliament was held at Cambuskenneth, wherein the clergy, earls, barons, and all the nobility of Scotland, with the people there assembled, took the oaths of fealty and homage to David, the king's son, and his issue; whom failing, to Robert Stewart, now orphan son of Walter the Steward and the Princess Marjory, the king's daughter. It is important to notice that this is the earliest parliament in which we have certain intimation of the appear-

1 "Iste, manu fortis, Anglorum ludet in hortis."—Fordun a Goodal, vol. ii. p. 280.
2 Mon. Malmesburiensis, p. 230.
3 Fœdera, vol. iv. p. 176.
4 Barbour, p. 386. He died at Bathgate, and was buried at Paisley.
5 Ker's History of Bruce, vol. ii. p. 343. Acts of the Parl. of Scotland, vol. iv. p. 564.

ance of the representatives of the cities and burghs, as forming a third estate in the great national council. The same parliament, in consequence of the lands and revenues of the crown having suffered extreme defalcation during the protracted war with England, granted to the king a tenth of the rents of all the lay-lands in the kingdom, to be estimated according to the valuation which was followed during the reign of Alexander the Third.[1]

A sudden revolution, conducted by Isabella, the profligate Queen of England, and her paramour Mortimer, terminated soon after this in the deposition of Edward the Second, and the assumption of the royal dignity by his son, the great Edward the Third, now entering his fourteenth year.[2] Although the avowed intentions of the English regency, who acted as council to the king, were pacific, yet their real conduct was insidious and hostile. To Bruce it was even insulting; for, although they ratified the truce in the name of the young king, and appointed commissioners to renew the negotiations for peace, yet their instructions empowered them to treat with the messengers of the noblemen and great men of Scotland, without the slightest mention of the name of the king, who, under such a provocation, soon manifested a disposition to renew the war. He had been disgusted by the repeated instances of bad faith on the part of the English government; and, taking advantage of the minority of the king, and the civil dissensions which had greatly weakened the country, he assembled a formidable army on the Borders, and declared his resolution of disregarding a truce which had been broken by one of the parties, and of instantly invading England, unless prevented by a speedy and advantageous peace. Against these warlike preparations the English ministry adopted decisive measures. The whole military array of England was summoned to meet the king at Newcastle on the 18th of May; and the Duke of Norfolk, Marshal of England, and uncle to young Edward, was commanded to superintend the muster. To Carlisle, the key of the kingdom on the other side, were sent two brave officers, Robert Ufford and John Mowbray, with a reinforcement to Lord Anthony Lucy, the governor. The naval force of the southern ports was ordered to be at Skinburness, near the mouth of the Tees. Two fleets, one named the Eastern and the other the Western Fleet of England, were directed to be employed against the Scots. The men living on the borders, and in the northern shires, received orders to join the army with all speed, marching day and night, and to send their women and children for shelter to distant places, or castles;[3] and those who were too old to fight were obliged to find a substitute. Anxious to give spirit to the soldiers, and to watch the designs of the enemy, the young king and the rest of the royal family came to York, accompanied by John of Hainault, with a fine body of heavy-armed Flemish horse; and Hainault was not long after joined by John of Quatremars, at the head of another reinforcement of foreign cavalry.[4] Confident in those warlike preparations, the negotiations for the attainment of peace soon became cold and embarrassed; and from the terms proposed by the English commissioners it was evident that they, as well as Bruce, had resolved upon the prosecution of the war.

Accordingly, soon after this, a defiance was brought to the youthful monarch from the King of Scotland; and the herald was commanded to inform him and his nobles that the Scots were preparing to invade his kingdom with fire and sword. Bruce himself was about this time attacked by a mortal sickness, brought on by that excessive fatigue, and constant exposure to the inclemency of the seasons, which he had endured in his early wars.[5] The extreme weakness occasioned by this, rendered it impos-

[1] Fordun a Hearne, vol. iv. p. 1014.
[2] Tytrel's Hist. of England, vol. iii. p. 325.
[3] Rotuli Scotiæ, vol. i. p. 208. Hailes, vol. ii. p. 117. Barbour, p. 388.
[4] Rotuli Scotiæ, vol. i. pp. 210, 213.
[5] Ker's Bruce, vol. ii. p. 357.

sible for him to take the field in person; but Randolph and Douglas, his two ablest captains, put themselves at the head of an army of ten thousand men, and passing the Tyne near Carlisle, soon shewed that, although the king was not present, the skill, enterprise, and unshaken courage which he had inspired continued to animate his soldiers.[1] This is one of the last great military expeditions of this reign; and as it places in a strong and interesting light the species of warfare by which Bruce was enabled to reconquer and consolidate his kingdom, as contrasted with the gigantic efforts employed against him, we shall make no apology for a somewhat minute detail of its operations. Froissart, too, one of the most delightful and graphic of the old historians, appears now in the field, and throws over the picture the tints of his rich feudal painting.

Accounts soon reached the English king that the Scots had broken into the northern counties; and instant orders were given for the host to arrange themselves under their respective banners, and advance against the enemy, on the road to Durham. The English army, according to Froissart, consisted of sixty-two thousand men, of which eight thousand were knights and squires, armed both man and horse in steel, and excellently mounted; fifteen thousand lighter-armed cavalry, who rode hackneys; and fifteen thousand infantry: to these were added twenty-four thousand archers.[2] The army was divided into three columns, or battles, all of infantry, each battle having two wings of heavy-armed cavalry of five hundred men.

Against this great host, admirable in its discipline and equipment, the Scots had to oppose a very inferior force. It consisted of three thousand knights and squires, armed cap-a-pie, and mounted on strong good horses, and twenty thousand light-armed cavalry, excellently adapted for skirmishing, owing to their having along with them no impediments of luggage, or carts and waggons, and their being mounted on hardy little hackneys, which were able to go through their work in the most barren country, where other horses would die of want. "These Scottishmen," says Froissart, "are exceeding hardy, through their constant wearing of arms, and experience in war. When they enter England, they will, in a single day and night, march four-and-twenty miles, taking with them neither bread nor wine; for such is their sobriety, that they are well content with flesh half sodden, and for their drink with the river water. To them pots and pans are superfluities. They are sure to find cattle enough in the countries they break into, and they can boil or seeth them in their own skins; so that a little bag of oatmeal, trussed behind their saddle, and an iron plate, or girdle, on which they bake their crakenel, or biscuit, and which is fixed between the saddle and the crupper, is their whole purveyance for the field." It requires little discernment to see that a force of this description was admirably adapted for warfare in mountainous and desert countries; and that a regular army, however excellently equipped, being impeded by luggage, waggons, and camp-followers, could have little chance against it. So, accordingly, the event soon shewed.

Advancing from York, the English army learnt no tidings of the Scots until they entered Northumberland, when the smoke that rose from the villages and hamlets which they had burnt in their progress too plainly indicated their wasting line of march.[3] Although the Marshal of England had been stationed at Newcastle with a large body of troops, and the Earl of Hereford and Sir John Mowbray commanded at Carlisle with a strong gar-

[1] Barbour, p. 387. Froissart, vol. i. p. 19, by Lord Berners, makes the Scottish army fourteen thousand strong. Barbour says, "*of gud men*" there were ten thousand. The camp-followers who came for plunder, and the hobilers, or light-armed horse, may make up the disparity.

[2] Froissart, chap. xxxv. Buchon's Chroniques Françaises, vol. i. p. 80. Barnes's Hist. of Edward III., p. 9.

[3] Froissart, vol. i. pp. 19, 20.

rison, the Scottish army had crossed the Tyne with such silence and rapidity, that the blazing villages of Northumberland were the first messengers which informed their enemies of their approach. From morning to night did the English for two days pursue these melancholy beacons, without being able to get a sight of their enemy, although they burnt and laid waste the country within five miles of their main army. But the English appear to have been little acquainted with the country, and obliged to march with great slowness and precaution through the woods, marshes, and mountainous passes with which it was intersected; whilst the Scots, veterans in this species of warfare, and intimately familiar with the seat of the war, drove every living thing from before their enemies, wasted the forage, burnt the granaries, and surrounded their army with a blackened and smoking desert, through which they passed without a sight of their destroyers.

After a vain pursuit of three days, through desert and rugged paths, the English army, exhausted with toil, hunger, and watching, determined to direct their march again to the Tyne, and, having crossed that river, to await the return of the Scots, and cut off their retreat into their own country. This object they accomplished towards nightfall with great difficulty, and the army was kept under arms, each man lying beside his horse with the reins in his hands, ready to mount at a moment's warning, with the vain hope that the daylight would shew them their enemy, who, they conjectured, would return by the same ford which they had crossed in their advance. Meanwhile, this great host began to experience all those bitter sufferings which the Scottish mode of warfare was so surely calculated to bring upon them.[1] The rain poured down and swelled the river, so that its passage became perilous; their carriages and waggons, containing the wine and provisions, had been, by orders of the leaders, left behind; and each soldier had carried, strapped behind his saddle, a single loaf of bread, which the rain and the sweat from the horse had rendered uneatable; the horses themselves had tasted nothing for a day and night; and the soldiers experienced the greatest difficulty in sheltering themselves from the weather, by cutting down the green branches, and making themselves lodges, whilst the horses supported themselves by cropping the leaves. There was much suffering also from the want of light and fire, as the green wood would not burn, and only a few of the greater barons had brought torches with them; so that the army lay on the cold ground under a heavy rain, ignorant, from the darkness, of the situation which they occupied, and obliged to keep upon the alert, lest they should be surprised by the enemy. In this plight the morning found them, when they discovered from the country people that their encampment was about fourteen leagues from Newcastle, and eleven from Carlisle, but could hear no tidings of the Scots.[2] It was determined, however, to await their return; and for eight days they lay upon the bank of the Tyne, in the vain idea of cutting off the retreat of the enemy, while the rain continued to pour down in torrents, and their sufferings and privations to increase every hour, so that murmurs and upbraidings began to rise amongst the soldiers; and the leaders, alarmed by the symptoms of mutiny, determined to repass the river, and again march in search of the enemy.

Having accomplished this, proclamation was made through the host that the king would honour with knighthood, and a grant of land, any soldier who would lead him to where he could cope on dry ground with the Scots;[3] and sixteen knights and squires rode off on the adventure, which was quickly accomplished; for one of them, Thomas de Rokeby, was soon after taken prisoner by the ad-

[1] Barnes's Edward III., p. 10.

[2] Froissart, vol. i. pp. 20-22. The true distance is forty-two miles from Newcastle, and thirty-three from Carlisle.

[3] Rymer, Fœdera, vol. iv. p. 312.

vanced guards of the Scots, and carried before Douglas and Randolph. These leaders, confident in the strength of the position which they occupied, sent the squire back to his companions, with orders to lead the English army to the spot where they were encamped, adding, that Edward could not be more anxious to see them than they were to be confronted with him and his barons. Rokeby, who found the king with his army at Blanchland, on the river Derwent, informed them of his success; and next morning the army, drawn up in order of battle, having marched, under the guidance of Rokeby, through Weardale, about mid-day came in sight of the Scots, strongly encamped on the slope of a hill, at the foot of which ran the rapid river Wear.[1] The flanks of the position were defended by rocks, which it was impossible to turn, and which overhung the river so as to command its passage; whilst the stream itself, full of huge stones, and swollen by the late rains, could not be passed without the greatest risk. Having halted and reconnoitred the position of the Scots, the English leaders considered it to be impregnable, and, in the chivalrous spirit of the times, heralds were sent with the proposal that the two armies should draw up on the plain, renounce the advantages of ground, and decide the battle in a fair field. The Scottish leaders were too well experienced in war to be moved by this bravado. "It is known," said they, in reply to the defiance, "to the king and barons of England that we are here in their kingdom, and have burnt and wasted the country. If displeased therewith, let them come and chastise us if they choose, for here we mean to remain as long as we please."[2]

On the first sight of the strength of the Scottish position, the English leaders had given orders for the whole host to be drawn up on foot, in three great columns or battles, having commanded the knights and men-at-arms to lay aside their spurs, and join the ranks of the infantry. In this order the army continued for three days, vainly endeavouring, by manœuvres and bravadoes, to compel the Scottish leaders to leave their strong ground, and accept their challenge. Every night the soldiers lay upon their arms, resting on the bare rocky ground; and as they had no means of tying or picketing their horses, the cavalry were compelled to snatch a brief interval of sleep with their reins in their hand, and harness on their back, destitute of litter or forage, and without fuel to make fires for their comfort and refreshment. On the other hand, they had the mortification to be near enough to see and hear the merriment of the Scottish camp; to observe that their enemies retired nightly to their huts, after duly stationing their watches; to see the whole hill blazing with the fires, round which they were cooking their victuals; and to listen to the winding of the horns, with which the leaders called in the stragglers and pillaging parties.

Although irritated and mortified with all this, the English absurdly determined to remain where they were. They had learned from some prisoners, taken in skirmishing, that their enemies had neither bread nor wine; and to use the words of Froissart, it was the "intention of the English to holde the Scots there in manner as besieged, thinking to have famished them." But a few hours sufficed to shew the folly of such a design. The third night had left the two armies as usual in sight of each other, the Scottish fires blazing, their horns resounding through the hills, and their opponents lying under arms. In the morning, the English, instead of the gleam of arms, and the waving of the pennons of an encamped army, saw nothing

[1] Barnes's Edward III., p. 12. Froissart, vol. i. p. 93.

[2] Froissart, vol. i. p. 23. Hume erroneously describes Douglas as eagerly advising to risk a battle, and Moray dissuading him from it. He has also confounded this expedition with a subsequent inroad of Bruce into England, describing the attack upon Norham as having taken place *previously* to the encampment on the Wear. But the campaign of Randolph and Douglas, and the encampment at Stanhope Park, took place on 5th August 1327. The siege of Norham did not commence till September. Hume's Hist. vol. iii. p. 245.

before them but a bare hill side.[1] Their enemies, familiar with every part of this wild country, having found out a stronger position, had secretly decamped, and were soon discovered by the scouts in a wood called Stanhope Park, situated on a hill, at nearly the same distance from the river Wear as their first encampment.[2]

This ground had equal advantages, in commanding the river, with their first position; and it was not only more difficult of access and of attack, but enabled them, under cover of the wood, to conceal their operations. Thus completely out-manœuvred, and made aware on how frail a basis had been rested their project for starving out their enemy, the English army marched down the side of the Wear, and encamped on a hill fronting the Scots, and having the river still interposed between them. Fatigued and disheartened by their sufferings and reverses, they became remiss in their discipline; and a daring night attack of Douglas had nearly put an end to the campaign, by the death or captivity of the young monarch of England.[3] This leader, having discovered a ford at a considerable distance from both encampments, passed the river at midnight with five hundred horse; with these he gained unperceived the rear of the English camp, and contrived to deceive the outposts by assuming the manner of an English officer going his rounds, and calling out, "Ha, St George! no watch!" He thus passed the barriers, and whilst one part of his men made an attack on a different quarter, Douglas and his party fell so fiercely and suddenly upon the enemy, that three hundred were slain in a few minutes; still pressing on, and putting spurs to his horse, he penetrated to the royal tent, cut the tent-ropes, and would have carried off the young monarch, but for the resistance of the royal household. The king's chaplain bravely defended his master, and was slain; others followed his example, and shared his fate; but the interval thus gained gave Edward time to escape, and roused the whole army, so that Douglas found it necessary to retreat. Blowing his horn, he charged through the thickening mass of his enemies, and, with inconsiderable loss, rejoined his friends. Disappointed of his prey, this veteran leader, on being asked by Randolph what speed they had made, replied, "They had drawn blood, but that was all."[4]

Provisions now began to fail in the Scottish camp, which had hitherto been plentifully supplied, and the two Scottish commanders consulted together what was best to be done. Randolph recommended the hazarding a battle; but Douglas, who, with all his keenness for fighting, was a great calculator of means, insisted that the disparity of force was too great, and proposed a retreat, which, from the nature of the ground, was nearly as dangerous as a battle. Behind the Scottish camp was stretched a large morass, which was deemed impassable for cavalry, and which had effectually prevented any attack in their rear. In the front was the river Wear, the passage guarded by the English army, which outnumbered the Scots by forty thousand men; and on each flank were steep and precipitous banks. To have attempted to break up their camp, and retreat in the day-time, in the face of so superior an enemy, must have been certain ruin. The Scottish leaders, accordingly, on the evening which they had chosen for their departure, lighted up their camp fires, and kept up a great noise of horns and shouting, as they had been wont to do. Meanwhile they had prepared a number of hurdles, made of wands or boughs, tightly wattled together, and had packed up in the smallest compass their most valuable booty. At midnight they drew off from their encampment, leaving their fires burning, and having dismounted on reaching the morass, they threw down the hurdles upon the softer places of the bog, and thus passed over the water-

[1] Froissart, vol. i. p. 25.
[2] Barbour, pp. 394, 395.
[3] Barnes's Edward III., p. 14. Froissart, vol. i. p. 24. Barbour, p. 397.
[4] Barbour, p. 399.

runs in safety, taking care to remove the hurdles so as to prevent pursuit by the enemy.[1]

It happened that, the day before, a Scottish knight had fallen into the hands of the English during a skirmish; and being strictly questioned, he informed the king that the soldiers had received orders to hold themselves in readiness to follow the banner of Douglas in the evening. Anticipating from this information another night attack, the whole army drew up on foot in three divisions in order of battle; and having given their horses in charge to the servants who remained in the camp-huts, lay all night under arms, expecting to be assaulted every moment. Night, however, passed away without any alarm; and a little before daylight two of the enemy's trumpeters were taken, who reported that the Scottish army had decamped at midnight, and were already advanced five miles on their way homewards. An instantaneous pursuit might still have placed the retreating army in circumstances of great jeopardy; but the success of Douglas's night attack had made the English over-cautious, and they continued under arms till broad daylight, suspecting some stratagem or ambush. At last when, after a little time, nothing was seen, some scouts were sent across the river, who returned with the intelligence that the Scots had made good their retreat, and that their camp was entirely evacuated.

The deserted encampment was then visited by their mortified opponents, and presented a singular spectacle. In it were found five hundred slaughtered cattle, and more than three hundred caldrons, or kettles, which were made of skins of cattle, with the hair on, suspended on stakes, and full of meat and water, ready for boiling, with about a thousand spit-racks with meat on them, and about ten thousand pairs of old shoes, commonly called *brogues* in Scotland, and made of raw hides, with the hair on the outer side. The only living things found in the camp were five poor Englishmen, stript naked and tied to trees. Three of these unfortunate men had their legs broken,—a piece of savage cruelty, which, if committed with their knowledge, throws a deep stain upon Douglas and Randolph.

On witnessing this, it is said that the young king, grievously disappointed at the mortifying result of an expedition commenced with such high hopes, and involving such mighty preparations, could not refrain from tears. In the meantime the Scottish army, with safety and expedition, regained their own country in health and spirits, and enriched with the plunder of a three-weeks' *raid* in England. Very different was the condition of the army of Edward. The noble band of foreign cavalry, consisting of knights and men-at-arms from Hainault, Flanders, and Brabant, commanded by John of Hainault, were reduced, by the privation and fatigue of a mode of warfare with which they were little acquainted, to a state of much wretchedness.[2] On reaching York, their horses had all died or become unserviceable; and the rest of the English cavalry were in an almost equal state of exhaustion and disorganisation.

The disastrous termination of this campaign very naturally inspired the English government with a desire of peace; and although the blame connected with the retreat of the Scots was attempted to be thrown upon the treachery of Mortimer, and a proclamation, issued from Stanhope Park, ridiculously described their enemies as having stolen away in the night, like vanquished men,[3] the truth could not be concealed from the nation; and every one felt that the military talents of Douglas and Randolph, and the patient discipline of the Scottish soldiers, rendered them infinitely superior to any English force which could be brought against them. The exhaustion of the English treasury, and the jealousy and heart-burnings between Mortimer and the principal nobility, rendered it exceedingly im-

[1] Barbour, p. 402. Froissart, vol. i. p. 25.

[2] Fœdera, vol. iv. p. 304.

[3] Rymer. Fœdera, vol. iv. p. 301. Hailes, vol. ii. p. 123.

probable that a continuance of the war would lead to any better success; and these desires for peace were not a little strengthened by the sudden appearance of the King of Scotland in person, who broke into England by the eastern borders at the head of an army including every person in Scotland able to bear arms.[1] Bruce himself sat down before Norham with a part of his force; a second division was commanded to waste Northumberland; and a third, under Douglas and Randolph, laid siege to Alnwick castle; but before hostilities had proceeded to any length, commissioners from England were in the camp of the Scottish king with a proposal for the marriage of Joanna, the Princess of England, and sister to the king, to David, the only son of the King of Scots.

It was required by the king, as the preliminary basis on which all future negotiation was to proceed, that Edward should renounce for ever all claim of feudal superiority which he and his predecessors had pretended to possess over the kingdom of Scotland. To agree to this concession appears to have been beyond the powers of the commissioners; and a parliament was summoned for this purpose, a truce in the meantime having been agreed upon during the continuance of the negotiations.[2]

At length, on the 1st of March 1327-8, the English parliament assembled at York; and this important preliminary, which had cost so great an expense of blood and treasure to both kingdoms during a terrible war of twenty years, was finally and satisfactorily adjusted. Robert was acknowledged as King of Scotland, and Scotland itself recognised for ever as a free and independent kingdom.

It was declared by Edward, in the solemn words of the instrument of renunciation, "that whereas we and others of our predecessors, Kings of England, have endeavoured to obtain a right of dominion and superiority over the kingdom of Scotland, and have thereby been the cause of long and grievous wars between the two kingdoms; we, therefore, considering the numerous slaughters, sins, and bloodshed, the destruction of churches, and other evils brought upon the inhabitants of both kingdoms by such wars, and the many advantages which would accrue to the subjects of both realms if, by the establishment of a firm and perpetual peace, they were secured against all rebellious designs, have, by the assent of the prelates, barons, and commons of our kingdom, in parliament assembled, granted, and hereby do grant, for us, and our heirs and successors whatsoever, that the kingdom of Scotland shall remain for ever to the magnificent Prince and Lord, Robert, by the grace of God, the illustrious King of Scots, our ally and dear friend, and to his heirs and successors, free, entire, and unmolested, separated from the kingdom of England by its respective marches, as in the time of Alexander, King of Scotland, of good memory, lately deceased, without any subjection, servitude, claim, or demand whatsoever. And we hereby renounce and convey to the said King of Scotland, his heirs and successors, whatever right we or our ancestors in times past have laid claim to in any way over the kingdom of Scotland. And by these same presents we renounce and declare void, for ourselves and our heirs and successors, all obligations, agreements, or treaties whatsoever, touching the subjection of the kingdom of Scotland, and the inhabitants thereof, entered into between our predecessors and any of the kings thereof, or their subjects, whether clergy or laity. And if there shall anywhere be found any letters, charters, muniments, or public instruments, which shall have been framed touching the said obligations, agreements, or compacts, we declare that they shall be null and void, and of no effect whatsoever. And in order to the fulfilment of these premises, and to the faithful observation thereof in all time coming, we have given full power and special authority to our

[1] Barbour, p. 404.

[2] The truce was to last from 23d Nov. till the 22d March 1328. Rymer, vol. iv. p. 326.

faithful and well-beloved cousin, Henry de Percy, and to William le Zouche of Ashby, to take oath upon our soul for the performance of the same. In testimony whereof we have given these our letters-patent, at York, on the 1st of March, and in the second year of our reign. By the king himself, and his council in Parliament."[1]

This important preliminary having been amicably settled, the English and Scottish commissioners did not find it difficult to come to an arrangement upon the final treaty. Accordingly, peace with England was concluded at Edinburgh on the 17th of March 1327–8,[2] and confirmed on the part of the English government, in a parliament held at Northampton, on the 4th of May 1328. It was stipulated that there should be a perpetual peace between the two kingdoms, for confirmation of which, a marriage should take place between David, eldest son and heir of the King of Scotland, and Joanna, sister to the King of England. In the event of Joanna's death before marriage, the King of England engaged to provide a suitable match for David from his nearest in blood; and in the event of David's death previous to the marriage, the King of England, his heirs and successors, are to be permitted to marry the next heir to the throne of Scotland, either to Joanna, if allowable by the laws of the Church, or to some other princess of the blood royal of England. The two kings, with their heirs and successors, engaged to be good friends and faithful allies in assisting each other, always saving to the King of Scots the ancient alliance between him and the King of France; and in the event of a rebellion against England in the kingdom of Ireland, or against Scotland in Man, Skye, or the other islands, the two kings mutually agreed not to abet or assist their rebel subjects. All writings, obligations, instruments, or other muniments, relative to the subjection which the kings of England had attempted to establish over the people and land of Scotland, and which are annulled by the letters-patent of the King of England, as well as all other instruments and charters respecting the freedom of Scotland, as soon as they are found, were to be delivered up to the King of Scots; and the King of England expressly engaged to give his assistance, in order that the processes of excommunication against Robert and his subjects, which had been carried through at the court of Rome, and elsewhere, should be recalled and annulled. It was besides agreed on the part of the king, the prelates, and the nobles of Scotland, that the sum of twenty thousand pounds sterling should, within three years, be paid, at three separate terms; and in the event of failure, the parties were to submit themselves to the jurisdiction of the Papal chamber. It was finally covenanted that the laws and regulations of the marches were to be punctually adhered to by both monarchs; and although omitted in the treaty, it was stipulated in a separate instrument, that the stone upon which the Kings of Scotland were wont to sit at their coronation, and which had been carried away by Edward the First, should be restored to the Scots.[3]

There can be no doubt that this

[1] There are three copies of this important deed known to our historians. One in Rymer, vol. iv. p. 337, taken from a transcript in the Chronicle of Lanercost, another in Goodal's edition of Fordun, and a third in a public instrument of Henry Wardlaw, bishop of St Andrews, copied by this prelate, 17th March 1415. It is from this last, as published by Goodal, (Fordun, vol. ii. p. 289,) that I have taken the translation.

[2] Carte, in an unsuccessful attempt to prove that this treaty did not receive the ratification of parliament, observes—"If the parliament at York had assented to the treaty, why was that of Northampton summoned to warrant it by their assent and approbation?" The answer is obvious. The parliament at York, on the 1st of March, agreed to the renunciation of the claim of superiority, but the remaining articles of the treaty were yet unsettled. These were finally adjusted by the commissioners at Edinburgh, on the 17th of March; and a parliament was summoned at Northampton, which gave its final approbation on the 4th of May. All this is very clear; yet Lingard echoes the scepticism of Carte.

[3] Hailes, vol. ii. p. 127. The original duplicate of this treaty, which was unknown to Lord Hailes, was discovered after the publication of his History, and is now preserved

treaty was highly unpopular in England. The peace was termed ignominious, and the marriage a base alliance; the treaty itself, in the framing of which the queen and Mortimer had a principal share,[1] although undoubtedly ratified in parliament, was not generally promulgated, and does not appear amongst the national records and muniments of the time; and when the renunciation of the superiority over Scotland, and the restoration of the fatal stone, came to be publicly known, the populace in London rose in a riotous manner, and would not suffer that venerable emblem of the conquest of Edward the First to be removed.[2] Yet although it wounded the national pride, the peace, considering the exhausted state of England, the extreme youth of the king, the impoverishment of the exchequer by a long war, and the great superiority of such military leaders as Bruce, Randolph, and Douglas, to any English commanders who could be opposed to them, was a necessary and prudent measure, imperiously dictated by the circumstances of the times.

To Bruce, on the other hand, the peace was in every respect a glorious one; but it was wise and seasonable as well as glorious. Robert anxiously desired to settle his kingdom in tranquillity. Although not to be called an old man, the hardships of war had broken a constitution naturally of great strength, and had brought on a premature old age, attended with a deep-seated and incurable disease, thought to be of the nature of leprosy. Upon his single life hung the prosperity of his kingdom and the interests of his family. His daughter, the only child of his first marriage, was dead. During the negotiations for the treaty of Northampton, Elizabeth, his second wife, had followed her to the grave;[3] his gallant brothers, partly on the scaffold, and partly on the field, had died without issue; his only son was an infant, and his grandson a boy of ten years old, who had lost both his parents. In these circumstances, peace was a signal blessing to the nation, and a joyful relief to himself. The complete independence of Scotland, for which the people of that land had obstinately sustained a war of thirty-two years' duration, was at last amply acknowledged, and established on the firmest basis; and England, with her powerful fleets, and superb armies, her proud nobility, and her wealthy exchequer, was, by superior courage and military talent, compelled to renounce for ever her schemes of unjust aggression. In the conduct of this war, and in its glorious termination, Bruce stood alone, and shared the glory with no one. He had raised the spirit of his people to an ascendancy over their enemies, which is acknowledged by the English historians themselves; and in all the great military transactions of the war we can discern the presence of his inventive and presiding genius. He was indeed nobly assisted by Douglas and Randolph; but it was he that had first marked their military talents, and it was under his eye that they had grown up into that maturity of excellence which found nothing that could cope with them in the martial nobility of England. Having thus accomplished the great object of his life, and warned

amongst the archives in the General Register House in Edinburgh, with the seals of the three lay plenipotentiaries still pretty entire. Robertson's Index, p. 101. The original is in French, and has been printed in Ker's History of Bruce, vol. ii. p. 526. Lingard, vol. iv. p. 9, following Lord Hailes, falls into the error of supposing that no copy of this treaty had been preserved by any writer, and doubts whether it was ever ratified by a full parliament. On what ground this doubt is founded, unless on the erroneous idea that no copy of the treaty could be discovered, it is difficult to imagine. He remarks in a note, that a parliament was held at Northampton in April. It was at this parliament that the treaty of Northampton was agreed to. "Donne a Northampton, le quart jour de May, lan de nostre regne sebont." What are we to think, then, of his concluding observation—"but no important business was done on account of the absence of the principal members?"

[1] Edward's mother got a grant of 10,000 marks for herself. Fœdera, vol. iv. p. 410.

[2] Chronicle of Lanercost, p. 261. See Rymer, vol. iv. p. 454. Rotul. Claus. 4 Edward III, m. 16, dorso.

[3] She died 7th Nov. 1327. Fordun a Goodal, vol. ii. p. 288.

by intimations which could not be mistaken, that a mortal disease had fixed upon him, the king retired to his palace at Cardross, on the eastern shore of the Clyde. His amusements, in the intervals of disease, were kingly, and his charities extensive. He built ships, and recreated himself by sailing; he devoted himself to architecture and gardening, improving his palace and orchard; he kept a lion for his diversion, and, when his health permitted, delighted in hawking; he entertained his nobility in a style of rude and abundant hospitality, and the poor received regular supplies by the king's order.[1]

Meantime the Princess Joanna of England, then in her seventh year, accompanied by the Queen Dowager, the Earl of Mortimer, the bishop of Lincoln, High Chancellor of England, and attended by a splendid retinue, began their journey to Scotland. At Berwick she was received by David, her young bridegroom, then only five years of age. Randolph and Sir James Douglas, whom King Robert, detained by his increasing illness, had sent as his representatives, accompanied the prince; and the marriage was celebrated at Berwick with great joy and magnificence.[2] The attendants of the princess brought along with them, to be delivered in terms of the treaty of Northampton, the Ragman Roll containing the names of all those Scotsmen who had been compelled to pay homage to Edward the First, as well as other important records and muniments,[3] which that monarch had carried with him from Scotland. Bruce was able to receive his son and his youthful consort with a warm and affectionate welcome at Edinburgh; but, finding his disease increasing upon him, he returned immediately to his rural seclusion at Cardross, where he died on the 7th June 1329, at the age of fifty-five. Some time before his death, an interesting scene took place, which I shall give in the beautiful and affecting narrative of Froissart.

"In the meantime," says that historian, "it happened that King Robert of Scotland was right sore aged and feeble, for he was grievously oppressed with the great sickness, so that there was no way with him but death; and when he felt that his end drew near, he sent for such barons and lords of his realm as he most trusted, and very affectionately entreated and commanded them, on their fealty, that they should faithfully keep his kingdom for David his son, and when this prince came of age, that they should obey him, and place the crown on his head. After which, he called to him the brave and gentle knight Sir James Douglas, and said, before the rest of the courtiers, —'Sir James, my dear friend, none knows better than you how great labour and suffering I have undergone in my day, for the maintenance of the rights of this kingdom; and when I was hardest beset, I made a vow, which it now grieves me deeply that I have not accomplished: I vowed to God that if I should live to see an end of my wars, and be enabled to govern this realm in peace and security, I would then set out in person, and carry on war against the enemies of my Lord and Saviour, to the best of my power. Never has my heart ceased to bend to this point; but our Lord has not consented thereto; for I have had my hands full in my days, and now, at the last, I am seized with this grievous sickness, so that, as you all see, I have nothing to do but to die. And since my body cannot go thither, and accomplish that which my heart hath so much desired, I have resolved to send my heart there, in place of my body, to fulfil my vow; and now, since in all my realm I know not any knight more hardy than yourself, or more thoroughly furnished with all knightly qualities for the accomplishment of the vow: in place of myself, therefore, I entreat thee, my dear and tried friend, that, for the love you bear to me, you will undertake this voyage, and acquit my soul

[1] Chamberlain's Accounts, vol. i. pp. 38-41, 46.

[2] Fordun a Hearne, vol. iv. p. 1016. Barbour, p. 407.

[3] Carte, vol. ii. p. 397.

of its debt to my Saviour; for I hold this opinion of your truth and nobleness, that whatever you undertake I am persuaded you will successfully accomplish; and thus shall I die in peace, provided that you do all that I shall tell you. I will, then, that as soon as I am dead, you take the heart out of my body, and cause it to be embalmed, and take as much of my treasure as seems to you sufficient for the expenses of your journey, both for you and your companions; and that you carry my heart along with you, and deposit it in the Holy Sepulchre of our Lord, since this poor body cannot go thither. And it is my command, that you do use that royal state and maintenance in your journey, both for yourself and your companions, that into whatever lands or cities you may come, all may know that you have in charge, to bear beyond seas, the heart of King Robert of Scotland.'

"At these words, all who stood by began to weep; and when Sir James himself was able to reply, he said,—'Ah! most gentle and noble king, a thousand times do I thank you for the great honour you have done me, in making me the depositary and bearer of so great and precious a treasure. Most faithfully and willingly, to the best of my power, shall I obey your commands, albeit I would have you believe, that I think myself but little worthy to achieve so high an enterprise.' 'Ah! gentle knight,' said the king, 'I heartily thank you, provided you promise to do my bidding on the word of a true and loyal knight.' 'Assuredly, my liege, I do promise so,' replied Douglas, 'by the faith which I owe to God, and to the order of knighthood.' 'Now praise be to God,' said the king, 'for I shall die in peace, since I am assured that the best and most valiant knight of my kingdom has promised to achieve for me that which I myself could never accomplish.' And not long after, this noble king departed this life."[1]

At this or some other interview, shortly before his death, Bruce delivered to the Scottish barons his last advice regarding the best mode of conducting the war against England. They concentrate, in a small compass, the wisdom and experience which he had gained during the whole course of his protracted but glorious war; and it is perhaps not too much to say that there is no instance in their subsequent history in which the Scots have sustained any signal defeat where it cannot be traced to a departure from some of the directions of what is affectionately called the "Good King Robert's Testament." His injunctions were, that the Scots in their wars ought always to fight on foot; that, instead of walls and garrisons, they should use the mountains, the morasses, and the woods; having for arms the bow, the spear, and the battle-axe; driving their herds into the narrow glens, and fortifying them there, whilst they laid waste the plain country by fire, and compelled the enemy to evacuate it. "Let your scouts and watches," he concluded, "be vociferating through the night, keeping the enemy in perpetual alarm; and worn out with famine, fatigue, and apprehension, they will retreat as certainly as if routed in battle." Bruce did not require to add that then was the time for the Scots to commence their attacks, and to put in practice that species of warfare which he had taught them to use with such fatal effect.[2] Indeed, these are the principles of war which will in every age be adopted by mountaineers in defence of their country; and nearly five hundred years after this, when a regular Russian army invaded Persia, we find Aga Mohammed Khan speaking to his prime minister almost in the very words of Bruce. "Their shot shall never reach me, but they shall possess no country beyond its range; they shall not know sleep, and let them

[1] Froissart, vol. i. pp. 28, 29. Fordun a Goodal, vol. ii. p. 300.

[2] See the original leonine verses, with an old Scots translation, taken from Hearne's Fordun, vol. iv. p. 1002, in Notes and Illustrations, letters BB. In the translation in the text of the word "securis," I have adopted the suggestion of Mr Ridpath, in his Border History, p. 290.

march where they choose I will surround them with a desert.[1]

Bruce undoubtedly belongs to that race of heroic men, regarding whom we are anxious to learn even the commonest particulars. But living at so remote a period, the lighter shades and touches which confer individuality are lost in the distance. We only see, through the mists which time has cast around it, a figure of colossal proportion, "walking amid his shadowy peers;" and it is deeply to be regretted that the ancient chroniclers, whose pencil might have brought him before us as fresh and true as when he lived, have disdained to notice many minute circumstances with which we now seek in vain to become acquainted; yet some faint idea of his person may be gathered from the few scattered touches preserved by these authors, and the greater outlines of his character are too strongly marked to escape us.

In his figure the king was tall and well-shaped. Before broken down by illness, and in the prime of life, he stood nearly six feet high; his hair curled closely and shortly round his neck, which possessed that breadth and thickness that belong to men of great strength; he was broad-shouldered and open-chested, and the proportion of his limbs combined power with lightness and activity. These qualities were increased not only by his constant occupation in war, but by his fondness for the chase and all manly amusements. It is not known whether he was dark or fair complexioned; but his forehead was low, his cheek-bones strong and prominent, and the general expression of his countenance open and cheerful, although he was maimed by a wound which had injured his lower jaw. His manners were dignified and engaging; after battle, nothing could be pleasanter or more courteous; and it is infinitely to his honour that in a savage age, and smarting under injuries which attacked him in his kindest and tenderest relations, he never abused a victory, but conquered often as effectually by his generosity and kindness as by his great military talents. We know, however, from his interview with the Papal legates, that when he chose to express displeasure his look was stern and kingly, and at once imposed silence and insured obedience. He excelled in all the exercises of chivalry, to such a degree, indeed, that the English themselves did not scruple to account him the third best knight in Europe.[2] His memory was stored with the romances of the period, in which he took great delight. Their hairbreadth 'scapes and perilous adventures were sometimes scarcely more wonderful than his own; and he had early imbibed from such works an appetite for individual enterprise and glory, which, had it not been checked by a stronger passion, the love of liberty might have led him into fatal mistakes: it is quite conceivable that Bruce, instead of a great king, might, like Richard the First, have become only a kingly knight-errant.

But from this error he was saved by the love of his country, directed by an admirable judgment, an unshaken perseverance, and a vein of strong good sense. It is here, although some may think it the homeliest, that we are to find assuredly the brightest part of the character of the king. It is these qualities which are especially conspicuous in his long war for the liberty of Scotland. They enabled him to follow out his plans through many a tedious year with undeviating energy; to bear reverses, to calculate his means, to wait for his opportunities, and to concentrate his whole strength upon one great point, till it was gained and secured to his country for ever. Brilliant military talent and consummate bravery have often been found amongst men, and proved far more of a curse than a blessing; but rarely indeed shall we discover them united to so excellent a judgment, controlled by such perfect disinterestedness, and employed for so sacred an end. There is but one instance on record where he seems to have thought more of himself than of his people,[3]

[1] Sketches in Persia, vol. ii. p. 210.

[2] Fordun a Goodal, vol. ii. p. 295.

[3] See supra, p. 117.

and even this, though rash, was heroic.

By his first wife, Isabella, the daughter of Donald, tenth Earl of Mar, he had one daughter, Marjory. She married Walter, the hereditary High Steward of Scotland, and bore to him one son, Robert Stewart, afterwards king, under the title of Robert the Second. By his second wife, Elizabeth, the daughter of Richard de Burgh, earl of Ulster, he had one son, David, who succeeded him, and two daughters, Elizabeth and Margaret.

Immediately after the king's death his heart was taken out, as he had himself directed. He was then buried with great state and solemnity under the pavement of the choir, in the Abbey Church of Dunfermline, and over the grave was raised a rich marble monument, which was made at Paris.[1] Centuries passed on, the ancient church, with the marble monument, fell into ruins, and a more modern building was erected on the same site. This, in our own days, gave way to time; and in clearing the foundations for a third church the workmen laid open a tomb, which proved to be that of Robert the Bruce. The lead coating in which the body was found enclosed was twisted round the head into the shape of a rude crown. A rich cloth of gold, but much decayed, was thrown over it; and, on examining the skeleton, it was found that the breast-bone had been sawn asunder to get at the heart.[2]

There remained, therefore, no doubt, that after the lapse of almost five hundred years, his countrymen were permitted, with a mixture of delight and awe, to behold the very bones of their great deliverer.

CHAPTER V.

DAVID THE SECOND.

1329—1346.

On the death of Bruce, Scotland, delivered from a long war by a treaty equally honourable and advantageous, was yet placed in perilous circumstances. The character of Edward the Third had already begun to develop those great qualities, amongst which a talent for war, and a thirst for conquest and military renown were the most conspicuous. Compelled to observe the letter of the recent treaty of Northampton, this prince soon shewed that he meant to infringe its spirit and disregard its sanctions, by every method of private intrigue and concealed hostility. With a greater regard for public opinion than his grandfather, Edward the First, he was yet as thoroughly bent upon the aggrandisement of his dominions. Unwilling to bring upon himself the odium of an open breach of so recent and solemn a treaty, cemented as it was by a marriage between King David and his sister, Edward's policy was to induce the Scots themselves to infringe the peace by the private encouragement which he gave to their enemies, and then to come down with an overwhelming force and reduce the

[1] Chamberlain Accounts, vol. i. p. 101.

[2] See an interesting Report of the discovery of the Tomb, and the re-interment of the body of Robert Bruce, drawn up by Sir Henry Jardine, in the second volume of the Transactions of the Antiquarian Society of Scotland, part ii. p. 435.

kingdom.[1] Against these designs there were many circumstances which prevented Scotland from making an effectual resistance. Randolph was indeed nominated regent, and the talents of this great man in the arts of civil government appear to have been as conspicuous as in war; but he was now aged, and could not reasonably look to many more years of life. Douglas, whose genius for military affairs was, perhaps, higher than even that of Randolph, was soon to leave the kingdom on his expedition to the Holy Land; and the powerful faction of the Comyns still viewed the line of Bruce with persevering enmity, and shewed themselves ready to rise upon the first opportunity against the government of his son. Nor was it long before this opportunity presented itself. Edward, the eldest son of John Baliol, had chiefly resided in France since his father's death; but he now came to England, and with the private connivance of Edward the Third began to organise a scheme for the recovery of the Scottish crown. Dornagilla, the mother of Baliol, was sister-in-law to the Red Comyn, whom King Robert Bruce had stabbed at Dumfries, so that the rights of the new claimant were immediately supported by the whole weight of the Comyns; and, no longer awed by the commanding mind of Bruce, disputes and heart-burnings arose amongst the Scottish nobility, at a time when a concentration of the whole strength of the nation was imperiously required.

To return to the course of our narrative, Randolph, upon the death of Bruce, immediately assumed the office of regent, and discharged its duties with a wise and judicious severity. He was indefatigable in his application to business, and his justice was as bold and speedy as it was impartial. An instance of it has been preserved by Bower.[2] A priest was slain; and the murderer, having gone to Rome and obtained the Papal absolution, had the audacity to return openly to Scotland. He was seized and brought before Randolph, who was then holding his court at Inverness, during a progress through the country. He pleaded the absolution; but was tried, condemned, and instantly executed. The Pope, it was remarked by the Regent Randolph, might absolve him from the spiritual consequences of the sin, but it was nevertheless right that he should suffer for the crime committed against the law. Aware of the important influence of the local magistrates and judges, he made every sheriff responsible for the thefts committed within his jurisdiction; so that, according to the simple illustrations of the chronicles of those times, the traveller might tie his horse to the inn-door, and the ploughman leave his ploughshare and harness in the field, without fear; for if carried away, the price of the stolen article came out of the pocket of the sheriff. Anxious for the continuance of peace, Randolph sent Roger of Fawside on an amicable mission to the English king, whilst he took care at the same time to strengthen the borders, to repair the fortifications of the important town of Berwick, and commanded John Crab, the experienced Flemish mercenary, whom he retained in the pay of Scotland, to remain in that city, and keep a watch upon the motions of England.[3]

In the meantime, as soon as the season of the year permitted, Douglas, having the heart of his beloved master under his charge, set sail from Scotland, accompanied by a splendid retinue, and anchored off Sluys in Flanders, at this time the great seaport of the Netherlands.[4] His object was to find out companions with whom he might travel to Jerusalem; but he declined landing, and for twelve days received all visitors on board his ship

[1] It is unfortunate that the Rotuli Scotiæ, from which some of the most authentic and valuable materials for Scottish history are to be drawn, are wanting from the first year to the seventh of the reign of Edward the Third. Rotuli Scotiæ, p. 224. From 22d January 1327-8 to 1st April 1333.

[2] Forduni Scotichron a Goodal, chap. xviii. book xiii. vol. ii. p. 297.

[3] Fordun a Goodal, vol. ii. p. 297. Winton, vol. ii. p. 139. Chamberlain's Accounts, pp. 171, 227, 228. See Illustrations, CC.

[4] Rymer's Fœdera, vol. iv. p. 400.

with a state almost kingly. He had with him seven noble Scottish knights, and was served at table by twenty-eight squires of the first families in the country. "He kept court," says Froissart, "in a royal manner, with the sound of trumpets and cymbals; all the vessels for his table were of gold and silver; and whatever persons of good estate went to pay their respects to him were entertained with the richest kinds of wine and spiced bread.[1] At Sluys he heard that Alonzo, the king of Leon and Castile, was carrying on war with Osmyn, the Moorish governor of Granada. The religious mission which he had embraced, and the vows he had taken before leaving Scotland, induced Douglas to consider Alonzo's cause as a holy warfare; and before proceeding to Jerusalem, he first determined to visit Spain, and to signalise his prowess against the Saracens. But his first field against the infidels proved fatal to him, who, in the long English war, had seen seventy battles.[2] The circumstances of his death were striking and characteristic. In an action near Theba, on the borders of Andalusia, the Moorish cavalry were defeated; and after their camp had been taken, Douglas, with his companions, engaged too eagerly in the pursuit, and being separated from the main body of the Spanish army, a strong division of the Moors rallied and surrounded them. The Scottish knight endeavoured to cut his way through the infidels; and in all probability would have succeeded, had he not again turned to rescue Sir William Saint Clair of Roslin, whom he saw in jeopardy. In attempting this, he was inextricably involved with the enemy. Taking from his neck the casket which contained the heart of Bruce, he cast it before him, and exclaimed with a loud voice, "Now pass onward as thou wert wont, and Douglas will follow thee or die!"[3] The action and the sentiment were heroic; and they were the last words and deed of a heroic life, for Douglas fell, overpowered by his enemies; and three of his knights, and many of his companions, were slain along with their master.[4] On the succeeding day, the body and the casket were both found on the field, and by his surviving friends conveyed to Scotland. The heart of Bruce was deposited at Melrose, and the body of the "Good Sir James," the name by which he is affectionately remembered by his countrymen, was consigned to the cemetery of his fathers in the parish church of Douglas.

Douglas was the model of a noble and accomplished knight, in an age when chivalry was in its highest splendour. He was gentle and amiable in society, and had an open and delightful expression in his countenance, which could hardly be believed by those who had only seen him in battle. His hair was black, and a little grizzled; he was broad-shouldered, and somewhat large-boned; but his limbs were cast in the mould of fair and just proportion. He lisped a little in his speech; but this defect, far from giving the idea of effeminacy, became him well, when contrasted with his high and warlike bearing.[5] These minute touches, descriptive of so great a man, were communicated by eye-witnesses to Barbour, the historian of Bruce.

The Good Sir James was never married; but he left a natural son, William Douglas, who inherited the military talents of his father, and with whom we shall soon meet, un-

[1] Froissart, p. 117, vol. i. Ed. de Buchon.
[2] Fordun a Goodal, vol. ii. p. 302.
[3] Barbour a Pinkerton, vol. iii. p. 171.

[4] The three knights were Sir William Sinclair of Roslin, Sir Robert and Sir Walter Logan. Boece, who might have consulted Bower in his continuation of Fordun, or Barbour, prefers his own absurd inventions, which he substitutes at all times in the place of authentic history. Buchanan, b. viii. c. 58, erroneously states that Douglas went to assist the King of Arragon, and that he was slain "post aliquot prosperas pugnas." In Buchon's Notes to Froissart, vol. i. p. 118, we find "that the object of the Moors was to raise the siege of Gibraltar, then straitly invested by the Spaniards. On their approach, Alonzo raised the siege, and marched against the enemy." Hume of Godscroft, in his Hist. of Douglas and Angus, vol. i. p. 96, adopts Boece's fable as to Douglas having been thirteen times victorious over the Saracens.

[5] Barbour, p. 15.

der the title of the Knight of Liddesdale.

Soon after this disaster, which deprived Scotland of one of its best defenders, David, then in his eighth year, and his youthful queen, were crowned with the usual solemnities at Scone,[1] on which occasion the royal boy, after having been himself knighted by Randolph the regent, surrounded by his barons and nobles, conferred knighthood on the Earl of Angus, Thomas, earl of Moray, Randolph's eldest son, and others of his nobles. His father Robert, in consequence of his disagreement with the court of Rome, had never been anointed King;[2] but in virtue of a special bull from the Pope, the Bishop of St Andrews poured the holy oil on the head of his successor.[3]

Notwithstanding the wise administration of Randolph, the aspect of public affairs in Scotland began to be alarming, and the probability of a rupture with England became every day more apparent. The designs of Edward Baliol, and the dissembling conduct of Edward the Third, have been already alluded to; and it unfortunately happened that there were circumstances in the present state of Scotland which gave encouragement to these schemes of ambition. During the wars of King Robert, many English barons who had been possessed of estates in that country, and not a few Scottish nobles who had treacherously leagued with England, were disinherited by Bruce, and the lands seized by the crown. By the treaty of Northampton, it was expressly provided that the Scottish estates of three of those English barons, Henry Percy, Thomas Lord Wake, and Henry Beaumont, should be restored. Percy was accordingly restored, but, notwithstanding the repeated requisitions of the English king, the Scottish regent delayed performance of the stipulations in favour of Wake and Beaumont, and there were strong reasons both in justice and expediency for this delay.[4] Wake claimed the lordship of Liddel, which would have given him an entrance into Scotland by the Western Marches, while Beaumont, one of the most powerful barons in England, who, in right of his wife, claimed the lands and earldom of Buchan, might have excited disturbances, and facilitated the descent of an enemy upon the coast. These were not the only considerations which induced Randolph to suspend performance of this part of the engagement. Henry de Beaumont and Lord Wake had violently opposed the whole treaty of Northampton, and declared themselves enemies to the peace with Scotland; they had leagued with the disinherited Scottish barons, and had instigated Baliol to an invasion of that country, and an assertion of his claim to the crown. The English king, on the other hand, although speciously declaring his intention to respect that treaty,[5] extended his protection to Edward Baliol; and when he was perfectly aware that a secret conspiracy for the invasion of Scotland was fostered in his court, of which Baliol, Wake, and Beaumont, were the principal movers, he yet preposterously demanded of Randolph to restore Beaumont and Wake to their estates in that country.[6]

The power and opulence of Beaumont induced the whole body of the disinherited barons[7] to combine their strength; and, aware that no effectual measures for suppressing their attempt would be used by Edward,[8] they openly put themselves at the head of three

1 Fordun a Goodal, vol. ii. p. 302.

2 Winton, book viii. chap. 24, p. 137, vol. ii.

3 The coronation oath, in its full extent, is not given by any ancient historian; but in one part of it the king solemnly swore that he would not alienate the crown lands, or any of the rents of the same; and that whatever lands and revenues fell to the crown, should not be bestowed upon subjects without mature advice.—Robertson's Parl. Records of Scotland, p. 97.

4 Rymer's Fœdera, vol. iv. p. 461.

5 Rymer, vol. iv. p. 470.

6 Ibid. vol. iv. pp. 445, 452, 511, and 518.

7 Their names and titles are given by Leland, Collect. vol. i. pp. 552, 553. The ancestors of Lord Ferrers, one of these disinherited lords, were settled in Scotland as far back as 1288. See Excerpta ex Rotulis Compot. Temp. Alex. III. p. 56, Chamberlain's Accounts.

8 Rapin's Acta Regia, vol. i. p. 201. Rymer's Fœdera, vol. iv. p. 590.

hundred armed horse and a small body of infantry, and declared their design of subverting the government of Bruce, and placing Baliol on the throne. It was their first intention to invade Scotland by the marches, but to this the King of England would not consent: he allowed them, however, without any offer of opposition, to embark at Ravenshire, near the mouth of the Humber, with the design of making a descent on the coast, while, to preserve the appearance of the good faith which he had broken, he published a proclamation, enjoining his subjects strictly to observe the treaty of Northampton.[1] In the meantime, Randolph the regent, who, with his wonted activity, had put himself at the head of an army to resist these hostile designs, died suddenly, without any apparent cause,[2] and not without the strongest suspicion of his having been poisoned. Winton and Barbour, both historians of high credit, and the last almost a contemporary, assert that he came by his death in this foul manner, and that the poison was administered to him at a feast held at his palace of the Wemyss, by a friar who was suborned by the faction of Beaumont.[3] It is certain, at least, that the friar took guilt to himself, by a precipitate flight to England.

In the Earl of Moray Scotland lost the only man whose genius was equal to manage the affairs of the nation, under circumstances of peculiar peril and difficulty. In his mind we can discern the rare combination of a cool judgment with the utmost rapidity and energy of action; and his high and uncorrupted character, together with his great military abilities, kept down the discordant factions which began to shew themselves among the nobility, and intimidated the conspirators who meditated the overthrow of the government. Upon his death, a parliament assembled at Perth for the election of his successor, and the spirit of civil disunion broke out with fatal violence. After great contention amongst the nobility, Donald, earl of Mar, nephew to the late king, was chosen regent.[4] This nobleman was in every way unfitted for so arduous a situation. When a child, he had been carried into England by Edward the First, and on being released from captivity, had continued to reside in that country, and had even carried arms in the English army against Scotland. Although he was afterwards restored to his country, and employed by Bruce, it was in a subordinate military command. The king appears to have considered his talent for war as of an inferior order, and the result shewed how well Bruce had judged.[5] In the meantime, on the very day that the reins of the state fell into this feeble hand, word was brought that the fleet of Edward Baliol, and the disinherited barons, had appeared in the Forth. They landed soon after with their army at Wester Kinghorn, where the ground was so unfavourable for the disembarking of cavalry, that a small force, led by any of the old captains of Bruce, would have destroyed the daring enterprise in its commencement. But Mar, who was at the head of a Scottish army more than ten times the strength of the English, lingered at a distance, and lost the opportunity; whilst Alexander Seton threw himself, with a handful of soldiers, upon the English, and was instantly overpowered and cut to pieces.[6] Baliol immediately advanced to Dunfermline, where he found a seasonable supply for his small army in five hundred spears, and a quantity of provisions, laid up there by the orders of Randolph, then recently dead.[7]

[1] Rymer, vol. iv. pp. 518, 529.

[2] He died at Musselburgh, and was buried at Dunfermline, Bower's Continuat. Fordun, vol. ii. p. 300. Hailes seems to have borrowed his scepticism on Randolph's death from Tyrrel, vol. iii. p. 372, who gives no ground for his opinion. See Remarks on this subject, Illustrations, letters DD.

[3] Winton, vol. ii. p. 146. Barbour a Pinkerton, vol. iii. p. 179. Fordun a Goodal, vol. ii. p. 299.

[4] Winton, vol. ii. p. 147. Fordun a Hearne, p. 1018.

[5] Barbour, pp. 387, 389. Rotuli Scotiæ, 13 Ed. II. m. 3.

[6] Fordun a Hearne, vol. iv. pp. 1018, 1019. Scala Chronicle, p. 159.

[7] Leland, Collect. vol. i. p. 553. Randolph had died twelve days before. Knighton, p. 2560.

When he first effected a landing, he had with him only four hundred men; but by this time he had collected a force of about two thousand foot soldiers;[1] and feeling more confident, he commanded his fleet to sail round the coast, and anchor in the mouth of the Tay, while he himself pushed on to Perth, and encamped near Forteviot, having his front defended by the river Earn. On the opposite bank lay the extensive tract called Dupplin Moor, upon which the Earl of Mar drew up his army, consisting of thirty thousand men, excellently equipped, and commanded by the principal nobility of Scotland. Eight miles to the west of Forteviot, at Auchterarder, was the Earl of March, at the head of an army nearly as numerous, with which he had advanced through the Lothians and Stirlingshire, and threatened to attack the English in flank.

Nothing could be imagined more perilous than the situation of Baliol; but he had friends in the Scottish camps.[2] Some of the nobility, whose relatives had suffered in the Black Parliament, were decided enemies to the line of Bruce, and secretly favoured the faction of the disinherited barons; so that, by means of the information which they afforded him, he was enabled, with a force not exceeding three thousand men, to overwhelm the army of Mar at the moment that his own destruction appeared inevitable.[3]

It is asserted by an English historian, on the authority of an ancient manuscript chronicle, that the newly elected regent had entered into a secret correspondence with Baliol; but the conduct of that ill-fated nobleman appears to have been rather that of weakness and presumption than of treachery.[4] Aware of the near presence of the enemy, he kept no watch, and permitted his soldiers to abandon themselves to riot and intemperance. Andrew Murray of Tullibardine, a Scottish baron, who served in the army of March, basely conducted the English to a ford in the river, which he had marked by a large stake driven into its channel.[5] Setting off silently at midnight, Baliol passed the river, and marching by Gask and Dupplin, suddenly broke in upon the outposts of the Scottish camp, and commenced a dreadful slaughter of their enemies, whom they mostly found drunken and heavy with sleep.[6] The surprise, although unfortunate, was not at first completely fatal. Young Randolph, earl of Moray, Murdoch, earl of Menteith, Robert Bruce, a natural son of King Robert, and Alexander Fraser, hastily collected three hundred troops, and with the desperate courage of men who felt that all hung upon gaining a few moments, checked the first onset and drove back the English soldiers. This gave time for the main body of the Scots to arm, and as the morning had now broke, the small numbers of the assailants became apparent. But the military incapacity of the regent destroyed the advantage which might have been improved, to the total discomfiture of Baliol. Rushing down at the head of his army, without order or discipline, the immense mass of soldiers became huddled and pressed together; spearmen, bowmen, horses, and infantry, were confounded in a heap, which bore down headlong upon the English, and in an instant overwhelmed Randolph and his little phalanx.[7] The confusion soon became inextricable: multitudes of the Scottish soldiers were suffocated and trodden down by their own men; and the English, preserving their discipline, and under brave and experienced leaders, made a pitiless slaughter.

The rout now became total, and the carnage, for it could not be called a battle, continued from early dawn till nine in the morning, by which

[1] Knighton, p. 2560. Leland, Col. vol. i. p. 553. Walsingham, p. 131. Fordun a Goodal, vol. ii. p. 307, says, "six hundred was the original number."

[2] Fordun a Goodal, vol. ii. p. 304.

[3] Bower's Continuat. Fordun, vol. ii. p. 301. "Annon audivisti de internecione nobilium in Nigro Parliamento? Generatio eorum tibi adstabit." Winton, vol. ii. p. 151. The place where the disinherited lords encamped was called "Miller's Acre."

[4] Barnes' Hist. of Ed. III., p. 60.

[5] Fordun a Goodal, vol. ii. p. 307.

[6] Ibid. p. 305.

[7] Winton, vol. ii. pp. 152, 153.

time the whole of the Scottish army was slain, dispersed, or taken prisoners. So rapid and easy had been the victory, that the English ascribed it to a miraculous interference for their preservation, and the Scots to a sudden infliction of divine vengeance. But the military incapacity of Mar, and the treachery of Murray, sufficiently account for the disaster.

On examining the field it was found that multitudes had perished without stroke of weapon, over-ridden by their own cavalry, suffocated by the pressure and weight of their armour, or trod under foot by the fury with which the rear ranks had pressed upon the front.[1] On one part of the ground the dead bodies lay so thick that the mass of the slain was a spear's length in depth.[2] It is difficult to estimate the numbers of those who fell; but amongst them were some of the bravest of the Scottish nobility. The young Randolph, earl of Moray, whose conduct that day had been worthy of his great father; Robert, earl of Carrick, a natural son of King Edward Bruce; Alexander Fraser, Chamberlain of Scotland, who had married the sister of the late king; Murdoch, earl of Menteith, and the Regent Mar himself, were amongst the slain. In addition to these, there fell many Scottish knights and men-at-arms, and probably not less than thirteen thousand infantry and camp followers.[3] Duncan, earl of Fife, was made prisoner after a brave resistance, in which three hundred and sixty men-at-arms, who fought under his banner, were slain. Of the English the loss was inconsiderable: besides those of less note, it included only two knights and thirty-three esquires, a disparity in the numbers which, although very great, is not without parallel in history.[4] There does not occur in our Scottish annals a greater or more calamitous defeat than the rout at Dupplin, even when stripped of the additions of some English historians.[5] It was disgraceful, too, as its cause is to be found in the military incapacity of Mar the leader, and in the acknowledged treachery of one, and probably of more than one, of the Scottish barons. The principal of these, Murray of Tullibardine, was speedily overtaken by the punishment which he deserved: he was made prisoner at Perth, tried, condemned, and executed.[6]

After the battle of Dupplin, Baliol instantly pressed forward and took possession of Perth, which he fortified by palisades, with the intention of abiding there the assault of the enemy, for the Earl of March was still at the head of a powerful army of thirty thousand men. March was a baron of great landed power, but lightly esteemed by all parties;[7] timid, and intent upon his own interest, unwilling to peril his great estates by an adherence to the losing side, and possessed of no military talents. Upon hearing the account of the defeat at Dupplin, he passed with his army over the field of battle, which presented a ghastly confirmation of the tale; and on reaching Lammerkin Wood, commanded the soldiers to cut fagots and branches to be used in filling up the fosse, should they assault Perth, against which town he now advanced. The near approach of so great an army alarmed the citizens, who began to barricade the streets and the approach to their houses. But on reaching the high ground immediately above the town, March commanded his men to halt. Beaumont, who intently watched his operations, observing this, called out "to take courage, for he knew they had friends in that army, and need fear no assault."[8] It is probable that, in the halt made by March, Beaumont recognised a sign of his friendly intentions, which had been previously agreed on. It is probable,

1 Fordun a Goodal, vol. ii. p. 305.
2 Winton, vol. ii. p. 155. Laner. Chron. p. 268.
3 Walsingham, p. 131. Fordun a Hearne, vol. iv. p. 1019.
4 At Cressy, the English lost only three knights and one esquire.
5 Echard, p. 145. Tyrrel, vol. iii. p. 372.
6 Fordun a Hearne, vol. iv. p. 1020. Fordun a Goodal, vol. ii. p. 307.
7 Scala Chron. p. 161. Hailes, vol. ii. p. 189. 8vo edition.
8 Winton, vol. ii. p. 156. Fordun a Goodal, vol. ii. p. 306.

at least, that this powerful baron himself, and certain that some of his leaders, had engaged in a correspondence with Baliol; as the intended assault was delayed, and the protracted measure of a blockade preferred; a change which, in the mutual situation of the two parties, can be accounted for on no ground but that of a friendly feeling to Baliol. At this moment, Crab, the Flemish mercenary, appeared with his fleet in the Tay, and attacked the English ships. He was at first successful, and made a prize of the Beaumondscogge, Henry de Beaumont's vessel; but the rest of the squadron defended themselves with such resolution, that in the end Crab was defeated, and compelled to fly to Berwick.[1] This disaster gave March a plausible pretext for deserting. The blockade was changed into a retrograde movement, which soon after ended in the total dispersion of the Scottish army, and, after a decent interval, in the accession of the Earl of March to the English interest.[2]

[1] Walsingham, p. 130. The Cogga de Benmond, or Beaumondscogge, was purchased by the State in 1337. It had become the property of Reginald More, Chamberlain of Scotland, who sold it to the king for two hundred pounds. Chamberlain's Accounts, p. 256.

[2] Lord Hailes, Ann. vol. ii. p. 155, in a note, exculpates March, and softens his accession to the English lords. He tries to shew that March raised the leaguer of Perth not from treachery but necessity. It is evident that much of the question as to March's treachery, and that of the "noble persons" who acted along with him, hangs on Beaumont's speech. Now, Hailes has curtailed it. Beaumont really said, "Take courage, for that army, as I conjecture, will not hurt us, *because I perceive, without doubt, our friends and well-wishers amongst them.*" The author of the Annals makes him say, "Take courage, these men will not hurt us;" and he then observes, "Whether he said this merely to animate the English, or whether he formed his conjecture from the disordered motions of the enemy, or whether he indeed discerned the banners of some noble persons who secretly favoured Baliol, *is uncertain.*" Now there is really no uncertainty about the speech. Beaumont, in the part of the passage which Hailes has overlooked, expressly affirmed *that he perceived friends in March's army.* Had he consulted Winton, he would have found that this old and authentic chronicler, vol. ii. p. 156, makes Beaumont say,—

"Look that ye be
Merry and glad, and have no doubt,
For we have friends in yon rout."

[3] Winton, vol. ii. p. 157.

Baliol, secure from all opposition for the present, now repaired to Scone, and in the presence of many of the gentry from Fife, Gowry, and Strathern, was crowned King of Scotland.[3] Duncan, earl of Fife, who had joined the English party, and Sinclair, bishop of Dunkeld, officiated at the solemnity.

The chief causes which led to this remarkable revolution, destined for a short time to overthrow the dynasty of Bruce, are not difficult of discovery. The concluding part of the late king's reign, owing to the severity with which he punished the conspiracy of Brechin, had been unpopular; and part of the discontented nobility were not slow in turning their eyes from the line of Bruce, which his great energy and military talents had compelled them to respect, to the claims of Baliol, weak in personal power, but, as they imagined, better supported in right and justice. A party of English barons, headed by Henry Beaumont, one of the most influential subjects in England, having been dispossessed by Bruce of their estates in Scotland, determined to recover them by the sword, and united themselves with Baliol, concealing their private ambition under the cloak of re-establishing the rightful heir upon the throne. They were mostly men of great power, and were all of them more or less connected with the numerous sept of the Comyns, the inveterate enemies of Bruce. They received private encouragement and support from the King of England, and they began their enterprise when the civil government in Scotland, and the leading of its armies, was in the hands of Mar and March: the first a person of no talents or energy, and suspected of being inclined to betray his trust; the second undoubtedly a favourer of the English party.

There was nothing, therefore, extraordinary in the temporary recovery of the crown by Baliol; but a short time shewed him how little dependence was

to be placed on such a possession. The friends of the line of Bruce were still numerous in the country: amongst them were the oldest and most experienced soldiers in Scotland; and the feelings of the nation were entirely on their side. Their first step was a decided one. Anxious for the safety of the young king, then a boy in his ninth year, they sent him and his youthful queen with speed to the court of France, where they were honourably and affectionately received by Philip the Sixth.[1]

Perth had been fortified by the disinherited lords; after which Baliol made a progress to the southern parts of Scotland, and committed the custody of the town to the Earl of Fife. It was soon after attacked and stormed by Sir Simon Fraser and Sir Robert Keith, who destroyed the fortifications, and took the constable Fife and his daughter prisoners. Upon this first gleam of success, Sir Andrew Moray of Bothwell, who had married Christian, the sister of the late king, was chosen regent. Meanwhile Baliol, with ready pusillanimity, hastened to surrender to Edward the liberties of Scotland; and the English king moved on to the borders with the declared purpose of attending to the safety of that divided country. The transactions which followed at Roxburgh throw a strong light upon the characters of both sovereigns.

After his many hypocritical declarations as to the observation of the treaty of Northampton, the English king now dropt the mask, and declared that the successes of Baliol in Scotland were procured by the assistance of his good subjects, and with his express permission or sufferance.[2] In return for this assistance, Baliol acknowledged Edward as his feudal lord, and promised that he would be true and loyal to the English king and to his heirs, the rightful sovereigns of the kingdom of Scotland. In addition to this, he agreed to put Edward in possession of the town, castle, and territory of Berwick, and of other lands upon the marches, extending to the value of two thousand pounds; and, affecting to consider the Princess Joanna of England as only betrothed to King David Bruce, he proposed himself as a more convenient match, and offered to provide for David Bruce in whatever way Edward should think fit. He lastly promised to assist the English king, in all his wars, with two hundred men-at-arms, maintained at his own charges; and he engaged that his successors should furnish a hundred men-at-arms for the same service. The penalty affixed to the breach of this agreement was a fatal part of the treaty. If Baliol, or his successors, neglected to appear in the field, they became obliged to pay to England the enormous sum of two hundred thousand pounds sterling; and if this money could not be raised, it was agreed that Edward should take possession of the "remainder of Scotland and the isles." This last obligation, which was to be perpetually in force, evidently gave Edward the power of draining Scotland of its best soldiers, and, in the event of resistance, of at once seizing and appropriating the kingdom.[3]

Thus, in a moment of sordid selfishness, were the chains, which had cost Robert Bruce thirty years' war to break, again attempted to be fixed upon a free country, and this by the degenerate hands of one of her own children. But Baliol's hour of prosperity was exceeding brief. Strong, as he imagined, in the protection of the King of England, and encouraged in his security by the readiness with which many of the Scottish barons had consented to recognise his title,[4] the new king lay carelessly encamped at Annan, not aware of the approach of a body of armed horse, under the command of the Earl of Moray, the second son of the great Randolph, along with Sir Simon Fraser and Archibald Douglas, brother to Bruce's old companion-in-arms, the Good Sir

[1] Winton, vol. ii. p. 158. Fordun a Goodal, vol. ii. p. 307.

[2] Rymer's Fœdera, vol. iv. p. 538. The deed is dated Roxburgh, 23d November 1332.

[3] Fœdera, vol. iv. pp. 536 and 548.

[4] Fordun a Hearne, pp. 1020, 1021. Winton, vol. ii. p. 159.

James. These barons, informed of the new king's remissness in his discipline, made a sudden and rapid march from Moffat, in the twilight of a December evening, and broke in upon him at midnight. Taken completely by surprise, the nobles who were with him, and their vassals and retainers, were put to the sword without mercy. Henry Baliol, his brother, after a gallant resistance, was slain; and Walter Comyn, Sir John de Mowbray, and Sir Richard Kirby, met their deaths along with him. Alexander, earl of Carrick, was made prisoner; and Baliol, in fear of his life, and almost naked, threw himself upon a horse, and with difficulty escaped into England.[1] Carrick, the natural son of King Edward Bruce, would have been executed as a traitor, but young Randolph interfered and saved his life. With the assistance of strangers and mercenary troops, it had cost Baliol only seven weeks to gain a crown: in less than three months it was torn from his brow, he himself chased from Scotland, and cast once more a fugitive and an exile upon the charity of England.[2]

Encouraged by this success, and incensed at the assistance given by Edward to Baliol and the disinherited lords, the Scottish leaders began to retaliate by breaking in upon the English borders. It is a singular instance of diplomatic effrontery that the English king, on hearing of this invasion, accused the Scots of having violated the treaty of Northampton;[3] in his correspondence with the King of France and the court of Rome, he does not hesitate to cast upon that nation the whole blame of the recommencement of the war;[4] and as if this was not enough, the English historians accuse them, in broad terms, of having attacked Baliol at Annan during the existence of a truce. Both the one and the other assertion appear to be unfounded.[5]

Hostilities having again broke out between the two nations, the border inroads recommenced with their accustomed fury; but at first were attended with circumstances disastrous for Scotland. It happened that Baliol, after his flight from Annan, had experienced the Christmas hospitality of Lord Dacres; in return for which kindness, Archibald Douglas, at the head of a small army of three thousand men, broke in upon Gillsland, and wasted the country belonging to Dacres with fire and sword, spreading desolation for a distance of thirty miles, and carrying off much booty. To revenge this, Sir Anthony Lucy of Cockermouth, and William of Lochmaben, with eight hundred men, penetrated into Scotland; but on their return were encountered by Sir William Douglas, commonly called the Knight of Liddesdale, and at that time keeper of Lochmaben castle. After a conflict, in which Lucy was grievously wounded, Douglas was totally defeated. Of the Scots, a hundred and sixty men-at-arms, including Sir Humphrey Jardine, Sir Humphrey Boys, and William Carlisle, were left on the field, and the best of the chivalry of Annandale were either slain or made captive.[6] Amongst the prisoners were Douglas himself, Sir William Baird, and a hundred other knights and gentlemen.

So anxious was Edward to secure the prize he had won in the Knight of Liddesdale, a natural son of the Good Sir James, who inherited his father's remarkable talents for war, that he issued orders for his strict

[1] Winton, vol. ii. p. 161. Lanercost Chron. p. 271.

[2] He landed 31st July, and was crowned 24th Sept. He was surprised and chased into England on 16th December.

[3] Rymer's Fœdera, vol. iv. p. 552.

[4] During the whole period of his intrigues and alliance with Baliol, both before and after his successes in Scotland, Edward had taken especial care, in his correspondence with Rome, to keep the Pope ignorant of the real state of Scottish affairs; and the cause of this sedulous concealment was the dread of being subjected in the payment of two thousand pounds, the stipulated fine in case he infringed the treaty. Knighton, p. 256.

[5] Lingard's Hist. of England, vol. iv. p. 23. The passage in Knighton, p. 2562, does not seem to me conclusive; for neither March nor Douglas were at the head of affairs, but Sir Andrew Moray.

[6] Walsingham, p. 132.

confinement in iron fetters;[1] and Baliol having, a short time before this success, again entered Scotland, and established himself in the castle of Roxburgh, endeavoured to confirm his authority in Annandale, by bestowing the lands of the knights who were slain upon his English followers.[2]

Another disaster followed hard upon the defeat of Douglas at Lochmaben. The regent, Sir Andrew Moray, with a strong body of soldiers, attacked and attempted to storm the castle of Roxburgh, where Baliol then lay. A severe conflict took place on the bridge; and in the onset, Ralph Golding, an esquire in the regent's service, pushing on far before the rest, was overpowered by the English. Moray, in the ardour of the moment, more mindful of his duty as a knight than a leader, attempted singly to rescue him, and instantly shared his fate.[3] Disdaining to surrender to any inferior knight, he demanded to be led to the King of England; and being brought to Edward, was thrown into prison, where he remained for two years. The Scots, who at their greatest need had lost in Douglas and Moray two of their best soldiers, endeavoured to supply their place by conferring the office of regent upon Archibald Douglas, lord of Galloway, the brother of the Good Sir James.[4]

In consequence of these advantages, Edward determined to carry on the war with renewed spirit. He assembled a powerful army, besought the prayers of the Church for his success, and wrote to the Earl of Flanders, and to the magistrates of Bruges, Ghent, and Ypres, requesting them to abstain from rendering assistance to the Scots.[5] He informed the King of France, who had interposed his good offices in behalf of his ancient allies, that, as they had repeatedly broken the peace, by invading and despoiling his country, he was necessitated to repel such outrages by force of arms;[6] and having taken these preliminary steps, he put himself at the head of his army, and sat down before Berwick.

The Scots, on their side, were not unprepared to receive him. Although Crab's disaster, in the former year, had weakened their strength by sea, they still possessed a fleet of ships of war, which committed great havoc on the English coasts, and plundered their seaports;[7] and Douglas, the regent, exerted himself to raise an army equal to the emergency. The defence of the castle of Berwick was imprudently committed to the Earl of March, whose conduct, after the battle of Dupplin, had evinced already the strongest leaning to the English interest; the command of the town was intrusted to Sir Alexander Seton.[8] The garrison appears neither to have been numerous nor well supplied; but for some time they made a gallant defence, and succeeded in sinking and destroying by fire a great part of the English fleet. Edward at first attempted to fill up the ditch with hurdles, and to carry the town by assault; but having been repulsed, he converted the attack into a blockade; and as the strength and extent of his lines enabled him to cut off all supplies, it became apparent that, if not relieved, Berwick eventually must fall. After a protracted blockade, a negotiation took place, by which the besieged agreed to capitulate by a certain day, unless succours were thrown into the town before that time; and for the performance of the stipulations, the Scots delivered hostages to Edward, amongst whom was a son of Seton, the governor.[9] The period had nearly expired, when, one morning at the break of day, the citizens, to their great joy, saw the army of Scotland, led by the regent in person, approach the Tweed, and cross the river at the Yare ford. They approached Berwick on the south side of

[1] Rymer's Fœdera, vol. iv. p. 552.
[2] Rotuli Scotiæ, 8 Ed. III., 18th Nov. vol. i. p. 294.
[3] Fordun a Goodal, vol. ii. pp. 309, 310.
[4] Ibid. p. 310.
[5] Rotuli Scotiæ, 7 Ed. III., vol. i. pp. 233, 234. Fœdera, vol. iv. p. 556.
[6] Fœdera, vol. iv. p. 557.
[7] Rotuli Scotiæ, vol. i. pp. 233, 249, and 252.
[8] Scala Chron. pp. 162, 163, and Rotuli Scotiæ, vol. i. p. 272. Compot. Camerarii Scotiæ, p. 255.
[9] Ibid.

the river; and although the English endeavoured to defend every passage, Sir William Keith, Sir William Prendergest, and Sir Alexander Gray, with a body of Scottish soldiers, succeeded in throwing themselves into the town. The main body of the Scots, after having remained drawn up in order of battle, and in sight of the English army, for a day and a half, struck their tents at noon of the second day, and, with the hope of producing a diversion, entered Northumberland, and wasted the country. But although they menaced Bamborough Castle, where Edward had placed his young queen, that monarch, intent upon his object, continued before Berwick; and on the departure of the Scottish army, peremptorily required the town to be given up, as the term stipulated for their being succoured had expired. With this demand the besieged refused to comply: they asserted that they had received succours, both of men and of provisions; the knights, they said, who had led these succours, were now with them; out of their number they had chosen new governors, of whom Sir William Keith was one; and they declared their intention of defending the city to the last extremity.[1] Edward upbraided the citizens, accused them of duplicity, and requested the advice of his council with regard to the treatment of the hostages. It was their opinion that the Scots had broken the stipulations of the treaty, and that their lives were forfeited. The king then commanded the son of the late governor to prepare for death, expecting that the threatened severity of the example, and the rank and influence of his father, would induce the townsmen to surrender. But he was disappointed; and Thomas Seton, a comely and noble-looking youth, was hanged before the gate of the town,[2] so near, it is said, that the unhappy father could witness the execution from the walls.[3] Immediately after this, the citizens became alarmed for the lives of the rest of the hostages, and from affection for their children, renewed the negotiations for surrender, unless succoured before a certain day. To this resolution Keith, their governor, encouraged them, by holding out the sure hope of the siege being raised by the Scottish army, which he represented as superior to that of England.[4] Unhappily they embraced his advice. It was stipulated, in a solemn instrument yet preserved, and with a minuteness which should leave no room for a second misunderstanding, that Berwick was to be given up to the English, unless the Scots, before or on the 19th of July, should succeed in throwing two hundred men-at-arms into the town by dry land, or should overcome the English army in a pitched field.[5]

Keith, the governor of the town, was permitted, by the treaty of capitulation, to have an interview with the regent, Archibald Douglas. He represented the desperate situation of the citizens; magnified the importance of the town, which must be lost, he said, unless immediately relieved; and persuaded the regent to risk a battle. The resolution was the most imprudent that could have been adopted. It was contrary to the dying injunctions of Bruce, who had recommended his captains never to hazard a battle if they could protract the war and lay waste the country; and especially so at this moment, as desertion and mutiny now began to shew themselves in the English army, which all the endeavours of Edward had not been able to suppress.[6] Notice, too, had reached the camp,

[1] Scala Chron. pp. 163, 164.
[2] Fordun a Hearne, vol. iv. p. 1022.
[3] See Illustrations, letters EE.

[4] Scala Chron. in Hailes, pp. 163, 164. Ad Murimuth, p. 80. Hailes says, and quotes Fordun, book xiii. chap. xxvii. as his authority, that during a general assault the town was set on fire, and in a great measure consumed; and that the inhabitants, dreading a storm, implored Sir William Keith and the Earl of March to seek terms of capitulation. Neither Fordun, nor his continuator, Bower, nor Winton, say anything of the town having been set on fire. The English historians, Walsingham and Hemingford, indeed assert it; but it is not to be found in the narrative of the Scala Chronicle, which appears to be the most authentic; I have therefore omitted it.
[5] Fœdera, vol. iv. pp. 566, 567.
[6] Rotuli Scot. 7 Ed. III. m. 26, dorso, vol. i. p. 235.

of illegal meetings and confederations having taken place in London during the king's absence, and the people of the northern shires had peremptorily refused to join the army; so that there was every probability that it must soon have been disbanded.[1]

It was in expectation of this result, Seton, the former governor, had determined to hold out the town to the last extremity, and sternly refused to capitulate, although the life of his son hung upon the issue. But his resolution was counteracted by the rashness of Keith, the new governor of the town, as well as by the excusable affection of the citizens for their sons, who were hostages. The regent suffered himself to be overruled; and on the day before the festival of the Virgin, being the 18th of July, the Scottish army crossed the Tweed, and encamped at a place called Dunsepark. Upon this, Edward Baliol and the King of England drew up their forces on the eminence of Halidon Hill, situated to the west of the town of Berwick. Nothing could be more advantageous than the position of the English. They were divided into four great battles, each of which was flanked by choice bodies of archers. A marsh separated the hill on which they stood from the opposite eminence, and on this rising ground the Scottish commanders halted and arranged their army.[2] It consisted also of four divisions, led respectively by the regent Douglas; the Steward of Scotland, then a youth of seventeen, under the direction of his uncle, Sir James Stewart; the Earl of Moray, son of Randolph, assisted by two veteran leaders of approved valour, James and Simon Fraser; and the Earl of Ross. The nature of the ground rendered it impossible for the English position to be attacked by cavalry. Their adversaries accordingly fought on foot, and the leaders and heavy-armed knights having dismounted, delivered their horses to be kept by the camp-boys in the rear. Before reaching their enemy, it was necessary for the Scottish army to march through the soft and unequal ground of the marsh; an enterprise which required much time, and was full of danger, as it inevitably exposed the whole host to the discharge of the English archers, the fatal effects of which they had experienced in many a bloody field. Yet, contrary to the advice of the elder officers, who had been trained under Bruce and Randolph, this desperate attempt was made; and the Scots, with their characteristic impetuosity, eagerly advanced through the marsh. The consequence was what might have been expected: their ranks, crowded together, soon fell into confusion; their advance was retarded; and the English archers, who had time for a steady aim, plied their bows with such deadly effect, that great numbers were every instant slain or disabled. An ancient manuscript says that the arrows flew as thick as motes in the sunbeam, and that their enemies fell to the ground by thousands.[3] It could not indeed be otherwise; for from the nature of the ground it was impossible to come to close fighting; and having no archers, they were slaughtered without resistance—the English remaining in the meantime uninjured, with their trumpets and nakers sounding amid the groans of their dying opponents. Upon this dreadful carnage many of the Scots began to fly; but the better part of the army, led on by the nobility, at last extricated themselves from the marsh, and pressing up the hill, attacked the enemy with great fury. It was difficult, however, for men, breathless by climbing the acclivity, and dispirited by the loss sustained in the marsh, to contend against fresh troops admirably posted, and under excellent discipline; so

[1] Rotuli Scotiæ, vol. i. pp. 234, 244.

[2] I take this from an interesting and curious manuscript preserved in the British Museum, Bib. Harleiana, No. 4690, of which I find a transcript by Macpherson, the editor of Winton, and an accurate investigator into Scottish history, in his MS. Notes on Lord Hailes' Annals. As it has never been printed, I have given it in the Illustrations, letters FF. Winton, vol. ii. p. 169.

[3] MS. Harleian, Illustrations, letters GG. Ad Murimuth, p. 80.

that, although they for a little time fiercely sustained the battle, their efforts being unconnected, the day, in spite of all their exertions, went against them.

The Earl of Ross, in leading the reserve to attack the wing where Baliol commanded, was driven back and slain. Soon after, the Regent Douglas was mortally wounded and made prisoner. The Earls of Lennox, Athole, Carrick, and Sutherland, along with James and Simon Fraser, were struck down and killed; while the English, advancing in firm array with their long spears, entirely broke and drove off the field the remains of the Scottish army. In the pursuit which succeeded, the carnage was great. Besides the nobles and barons already mentioned, John Stewart and James Stewart, uncles of the Steward of Scotland, were mortally wounded, Malise, earl of Strathern, John de Graham, Alexander de Lindesay, and other barons, were also slain; and with them fell, on the lowest calculation, fourteen thousand men. Such was the disastrous defeat of the Scots at Halidon Hill.[1] The battle was fought on the 20th day of July, and the English monarch immediately addressed letters to the archbishops and bishops of his dominions, directing them to return thanks to God for so signal a victory.[2]

In the conflicting accounts of the various annalists, the exact number of the two armies, and the extent of the loss on either side, cannot be easily ascertained. It seems probable that nearly the whole of the men-at-arms in the Scottish ranks were put to the sword either in the battle or in the pursuit; and that of the confused multitude which escaped, the greater part were pages, sutlers, and camp followers. So great was the slaughter of the nobility, that, after the battle, it was currently said amongst the English that the Scottish wars were at last ended, since not a man was left of that nation who had either skill or power to assemble an army or direct its operations.[3]

The consequences of the battle of Halidon were the immediate delivery of the town and castle of Berwick into the hands of the English, and the subsequent submission of almost the whole kingdom to Baliol, who traversed it with an army which found no enemy to oppose it.[4] Five strong castles, however, still remained in possession of the adherents of David, and these eventually served as so many rallying points to the friends of liberty. These fortresses were Dumbarton, which was held by Malcolm Fleming; Urquhart, in Inverness-shire, commanded by Thomas Lauder; Lochleven, by Alan de Vipont; Kildrummie, by Christian Bruce, the sister of Robert the First; and Lochmaben, by Patrick de Chartres.[5] A stronghold in Lochdon, on the borders of Carrick, was also retained for David Bruce by John Thomson, a brave soldier of fortune, and probably the same person who, after the fatal battle of Dundalk, led home from Ireland the broken remains of the army of King Edward Bruce.[6]

Patrick, earl of March, who had long been suspected of a secret leaning to the English, now made his peace with them, and swore fealty to Edward, and along with him many persons of rank and authority were compelled to pay a temporary homage; but the measures which this monarch

[1] Winton, vol. ii. p. 170. Fordun a Hearne, vol. iv. p. 1021. Fordun a Goodal, vol. ii. p. 311.

[2] Winton, vol. ii. p. 166, says the Scots had an army fully sixty thousand strong. It is observed by Edward, in his letters ordaining a public thanksgiving, that the victory was obtained without great loss upon his side; an expression proving the inaccuracy of the assertion of the English historians, that of their army only thirteen foot soldiers, with one knight and one esquire, were slain. Nor is it unworthy of remark that the king makes no allusion to any inferiority of force upon the English side; which, had such been the case, he could scarcely have failed to do, if we consider the subject of his letter. When the English historians inform us that the Scots were five times more numerous than their opponents, we must consider it as exaggeration.

[3] Murimuth, p. 81.

[4] Fordun a Goodal, vol. ii. p. 311.

[5] Rotuli Scotiæ, 8 Ed. III. vol. i. p. 274.

[6] Fordun a Goodal, vol. ii. p. 311.

adopted on making himself master of Berwick were little calculated to conciliate the minds of those whom he somewhat prematurely considered as a conquered people. He seized and forfeited the estates of all the barons in the county of Berwick who held their property by charter from King Robert; in giving leases of houses within the town, or of lands within the shire, he prohibited his tenants and vassals from subleasing them to any except Englishmen;[1] he directed the warden of the town to transport into England all the Scottish monks whom he suspected of instilling rebellious principles into their countrymen, to be there dispersed amongst the monasteries of their respective orders on the south side of the Trent; and he commanded the chiefs of the different monastic orders in that country to depute to Scotland some of their most talented brethren, who were capable of preaching pacific and salutary doctrines to the people, and of turning their hostility into friendship. Orders were also transmitted to the magistrates of London and other principal towns in the kingdom, directing them to invite merchants and traders to settle in Berwick, under promise of ample privileges and immunities; and, in the anticipation that these measures might still be inadequate to keep down the spirit of resistance, he emptied the prisons throughout his dominions of several thousands of criminals condemned for murder and other heinous offences, and presented them with a free pardon, on the condition of their serving him in his Scottish wars.[2]

Baliol having thus possessed himself of the crown by foreign assistance, seemed determined to complete the humiliation of his country. An assembly of his party was held at Edinburgh on the 10th of February. Lord Geoffrey Scrope, High Justiciar of England, attended as commissioner from Edward, along with Sir Edward Bohun, Lord William Montague, Sir Henry Percy, and Ralph Neville, seneschal of England. As was to be expected, everything was managed by English influence. Lord Henry Beaumont, the Earl of Athole, and Lord Richard Talbot, were rewarded with the extensive possessions of the Comyns in Buchan and Badenoch. The vale of Annandale and Moffatdale, with the fortress of Lochmaben, were bestowed upon Lord Henry Percy; and the Earl of Surrey, Ralph Lord Neville, of Raby, Lord John Mowbray, and Sir Edward Bohun, were remunerated for their labours in the Scottish war by grants of the estates of those who had fallen at Halidon, or who were forfeited for their adherence to David Bruce. To his royal patron more extensive sacrifices were due. Not only was the town, castle, and extensive county of Berwick surrendered to the King of England, but the forests of Jedburgh, Selkirk, and Ettrick, the wealthy counties of Roxburgh, Peebles, Dumfries, and Edinburgh; the constabularies of Linlithgow and Haddington, with the towns and castles situated within these extensive districts, were, by a solemn instrument, annexed for ever to the kingdom of England.[3]

To complete the dismemberment of the kingdom, there was only wanting a surrender of the national liberties. Baliol accordingly appeared before Edward at Newcastle, acknowledged him for his liege lord, and swore fealty for the kingdom of Scotland and the Isles. Edward, thus rendered master of the fairest and most populous part of Scotland, hastened to send English governors to his new dominions;[4] while the friends of the young king once more retired into the mountains and fastnesses, and waited for a favourable opportunity of rising against their oppressors. Nor was it long ere an occasion presented itself. Dissensions broke out amongst those English barons to whose valour Baliol owed his restoration; and a petty family quarrel gave rise to an important counter-revolution.

[1] Rotuli Scotiæ, 8 Ed. III. vol. i. pp. 272, 275.
[2] Ibid. 7 Ed. III. vol. i. p. 254.
[3] Rymer, Fœdera, vol. iv. pp. 614, 616. Rotuli Scotiæ, vol. i. pp. 261, 262.
[4] Rotuli Scotiæ, vol. i. p. 263.

The brother of Alexander de Mowbray died, leaving daughters; but no male heirs; upon which Mowbray claimed the estate, in exclusion of the heirs-female, and, by a decision of Baliol, was put in possession:[1] an award the more extraordinary as it went to destroy his own title to the crown. The cause of the disinherited daughters was warmly espoused by Henry de Beaumont, Richard Talbot, and the Earl of Athole, all of them connected by marriage with the powerful family of the Comyns; and, upon the denial of their suit by Baliol, these fierce barons retired in disgust from court. Beaumont, taking the law into his own hands, retreated to his strong castle of Dundarg in Buchan, and seized a large portion of the disputed lands which lay in that earldom. Athole removed to his strongholds in the country of Athole; and Talbot, who had married the daughter of the Red Comyn slain by Bruce,[2] collected his vassals and prepared for war.

Encouraged by this disunion amongst their enemies, the old friends of the dynasty of Bruce began again to reappear from their concealment; and, at this favourable conjuncture, Sir Andrew Moray of Bothwell[3] was released from his captivity, and returned to Scotland. At the same time some Scottish ships of war, assisted by a fleet of their allies laden with provisions and arms, and well manned with soldiers, hovered on the coast, and threatened to intercept the English vessels which had been sent by Edward with supplies for his adherents.[4] Baliol, in the meantime irresolute and alarmed, retreated to Berwick, and reversed his decision in favour of Mowbray. But this step came too late to conciliate Beaumont, and it entirely alienated Mowbray, who, eager to embrace any method of humbling his rivals, went over with his friends and vassals to the party of David Bruce, and cordially co-operated with Moray, the late regent.

And now the kingdom which Edward so lately believed his own, on the first gleam of returning hope, was up in arms, and ready again to become the theatre of mortal debate. Talbot, in an attempt to pass with a body of soldiers into England, was attacked and taken prisoner by Sir William Keith of Galston; six of the knights who accompanied him, and many of his armed vassals, being put to the sword.[5] He was instantly shut up in the strong fortress of Dumbarton; and one of their most powerful opponents being disposed of, Moray and Mowbray hastened to besiege Beaumont in the castle of Dundarg. This, however, was no easy enterprise. Situated on a precipitous rock overhanging the Moray Firth, the strong retreat which the English baron had chosen was connected with the mainland by a neck of land so narrow, that a few resolute men could defend it against a multitude. To attempt to storm it would have been certain defeat; and Moray chose rather, by a strict blockade, to compel a surrender. An unexpected circumstance accelerated his success. Having discovered the situation of the pipes which supplied the garrison with water, he mined the ground, cut them through, and reduced the besieged to extremity. Beaumont capitulated, and, upon payment of a high ransom, was permitted to retire into England.[6]

Amongst the numerous confiscations which followed his brief possession of power, Baliol had conferred the extensive possessions of Robert, the Steward of Scotland, upon the Earl of Athole; while this young baron, stript of his lands, and compelled to be a wanderer, had lain concealed in Bute since the defeat at Halidon Hill, and escaped the search of his enemies. With a prudence and determination superior

1 Fordun a Goodal, vol. ii. p. 312. Winton, vol. ii. p. 175.

2 Macpherson's Notes on Winton, vol. ii. pp. 506, 509. Scala Chron. p. 165.

3 Erroneously called by Maitland, vol. i. p. 520, the Earl of Bothwell.

4 Rotuli Scot. vol. i. p. 279. 20th Sept. 1334.

5 Walsingham, p. 134. Leland, Collect. vol. i. p. 554. Fordun a Goodal, vol. ii. p. 325.

6 Fordun a Goodal, vol. ii. p. 312. Stat. Acc. of Scotland, vol. xii. p. 578.

to his years, he now organised a plan for escaping to the castle of Dumbarton, in which he happily succeeded. Two old vassals of the family, named Gibson and Heriot, brought a boat to Rothesay late in the evening, and the Steward, accompanied only by a chamber-boy and two servants, threw himself into it, and rowed that night to Overtunnock, from which they crossed to Dumbarton, where they were joyfully welcomed by Malcolm Fleming, the governor.[1] Here he did not long remain inactive; but assembling his scattered vassals, with the assistance of Colin Campbell of Lochow, attacked and stormed the castle of Dunoon in Cowal.

The news of this success soon flew to Bute; and there the hereditary vassals of the young patriot instantly rose upon the English governor, Alan de Lyle, put him to death, and proceeded, carrying his head in savage triumph along with them, to join their master. The castle of Bute soon after fell into the hands of the insurgents.[2]

The country of Annandale, as we have already stated, was presented by Baliol to Henry Percy; but its mountains and fastnesses had given refuge to many brave men who obstinately refused to submit to the English king. On the first intelligence that the Steward had displayed open banner against the English, these fugitives, says an ancient historian, came suddenly, like a swarm of hornets, from the rocks and woods, and warred against the common enemy. The chief amongst them was William de Carruthers, who, since the success of Baliol, had preferred a life of extremity and hardship, as a fugitive in the woods, to the ignominy of acknowledging a yoke he detested. He now left his strongholds, and with a considerable force united himself to the Steward.[3] Thomas Bruce, with the men of Kyle, next joined the confederacy; and soon after Randolph, earl of Moray, who had escaped to France after the defeat at Halidon Hill, returned to his native country, and, with the hereditary valour of his house, began instantly to act against the English. Strengthened by such accessions, the Steward in a short time reduced the lower division of Clydesdale; compelled the English governor of Ayr to acknowledge King David Bruce; and expelled the adherents of Baliol and Edward from the districts of Renfrew, Carrick, and Cunningham.

The Scottish nobles of his party now assembled, and preferred this young patriot and the Earl of Moray to the office of joint regents under their exiled king. The choice was in every respect judicious. The Steward, although now only in his nineteenth year, had early shewn great talents for war; he was the grandson of Robert the First, and had been already declared by parliament the next heir to the crown: Moray, on the other hand, was the son of the great Randolph; so that the names of the new governors were associated with the most heroic period of Scottish history: a circumstance of no trivial importance at a period when the liberties of the country were threatened with an utter overthrow. About the same time, the friends of liberty were cheered by the arrival of a large vessel laden with arms, besides wines and merchandise, in the port of Dumbarton; a circumstance which Edward considered of so much importance, that he directed his writs to the magistrates of Bristol and Liverpool, commanding them to fit out some ships of war to intercept her on her return.[4]

The first enterprise of the regents was against the Earl of Athole, who now lorded it over the hereditary estates of the Steward, and whose im-

[1] Winton, vol. ii. p. 178. Fordun a Goodal, vol. ii. p. 313.

[2] Winton calls the vassals of the young Steward "The Brandanys of Bute;" and in describing the battle in which Lyle was slain, tells us they overwhelmed him with showers of stones, hence

"Amang the Brandanis all
The Batayle Dormang they it call."

"The battle Dormang is evidently," Macpherson remarks, "a corruption of the Batail nan dornaig;" Dorneag being a round stone: a proof that, in Bute, the Gaelic was then the common language. Winton, vol. ii. p. 186. Fordun a Goodal, vol. ii. p. 316.

[3] Fordun a Goodal, vol. ii. p. 316

[4] Rotuli Scotiæ, vol. i. p. 320.

mense possessions, both in Scotland and England, rendered him the most formidable of their enemies.[1] Moray, by a rapid march into the north, attacked the earl before he had time to assemble any considerable force, drove him into the wild district of Lochaber, and compelled him to surrender. Thus, by the overthrow of Beaumont, Talbot, and Athole, the most powerful branch in the confederacy of the disinherited barons was entirely destroyed; and Baliol, once more a fugitive, passed into England, and implored the protection and assistance of Edward.

On being informed of the revolution in Scotland, this monarch, although it was now the middle of November, determined upon a winter campaign, and issued writs for the attendance of his military vassals. The expedition, however, proved so unpopular, that fifty-seven of the barons who owed suit and service, absented themselves;[2] and, with an army enfeebled by desertion, Edward made his progress into Lothian, where, without meeting an enemy, if we except some obscure malefactors who were taken and executed, he ruled over a country which the Scots, following the advice of Bruce, abandoned for the time to his undisturbed dominion.[3] Baliol, as usual, accompanied Edward, and with a portion of his army ravaged Avondale, and laid waste the districts of Carrick and Cunningham. The vassal king then passed to Renfrew, and affected a royal state in his Christmas festivities, distributing lands and castles to his retainers, and committing the chief management of his affairs to William Bullock, a warlike ecclesiastic, whom he created chamberlain of Scotland, and governor of the important fortresses of St Andrews and Cupar.[4] Such castles as he possessed were garrisoned with English soldiers; and John de Strivelin, with a large force, commenced the siege of Lochleven, which was then in the hands of the friends of David Bruce. From its insular situation this proved a matter of difficulty. A fort, however, was built in the churchyard of Kinross, on a neck of land nearest to the castle; and from this point frequent boat attacks were made, in all of which the besiegers were repulsed. At last Alan Vipont, the Scottish governor, seizing the opportunity when Strivelin was absent on a religious pilgrimage to the shrine of St Margaret at Dunfermline, attacked and carried the fort, put part of the English garrison to the sword, and raised the siege. He then returned to the castle with his boats laden with arblasts, bows, and other instruments of war,[5] besides other booty, and many prisoners.

Encouraged by this success, and anxious to engage in a systematic plan of military operations, the Scottish regents summoned a parliament to meet at Dairsay. It was attended by Sir Andrew Moray, the Earl of Athole, the Knight of Liddesdale, lately returned from captivity, the Earl of March, who had embraced the party of David Bruce, and renounced his allegiance to Edward, Alexander de Mowbray, and other Scottish barons. But at a moment when unanimity was of infinite importance in the national councils, the ambition and overweening pride of Athole embroiled the deliberations, and kindled animosities amongst the leaders. His motives cannot easily be discovered. It is probable that, as he became convinced that Baliol would never be suffered to reign in Scotland, his own claims to the crown became uppermost in his mind, and that he was induced to renounce the allegiance which he had sworn to Edward, in the hope that, if Baliol were set aside, he might have a chance, amid the confusions of war, to find his way to the throne. He appeared accordingly at the parliament, with a state and train of attendants almost kingly; and, having gained an ascendancy over the young Steward,

1 Douglas' Peerage, vol. i. p. 133.
2 Rotuli Scotiæ, 8 Edward III., vol. i. p. 293.
3 Hemingford, vol. ii. p. 277.
4 Winton, vol. ii. p. 177.

5 Winton, book viii. chap. xxix. vol. ii. p. 183. I have rejected the story of the attempt to drown the garrison by damming up the lake as physically improbable, and unnoticed by Winton. See Macpherson's Notes on Winton, vol. ii. p. 507.

treated Moray and Douglas with such haughtiness, that the assembly became disturbed by mutual animosities and heartburnings, and at length broke up in confusion.[1] Ambassadors soon after this arrived in England from Philip of France, earnestly recommending a cessation of hostilities between his ancient allies the Scots and the King of England; but Edward, intent upon his scheme of conquest, although he consented to a short truce, continued his warlike preparations, and, despising all mediation, determined again to invade his enemies, and dictate the terms not of peace, but of absolute submission.

About midsummer, the English king, accompanied by Baliol, joined his army at Newcastle, having along with him the Earl of Juliers, with Henry, count of Montbellegarde, and a large band of foreign mercenaries.[2] Meanwhile his fleet, anticipating the movements of the land forces, entered the Firth of Forth; and while Edward, with one part of his army, advanced by Carlisle into Scotland, Baliol, having along with him those English barons upon whom he had bestowed estates, and assisted by a numerous body of Welsh soldiers, remarkable for their ferocious manners, proceeded from Berwick.

But, notwithstanding the great preparations, the campaign was one of little interest. Having penetrated to Glasgow, the two kings united their forces, and advanced to Perth without meeting an enemy. By an order of the regents, the Scots drove their cattle and removed their goods from the plain country to inaccessible fastnesses among the mountains, so that the English only wasted a country already deserted by its inhabitants.[3] They did not, however, entirely escape molestation; for the Scottish barons, although too prudent to oppose them in a pitched field, hovered round their line of march, and more than once caught them at a disadvantage, suddenly assaulting them from some concealed glen or ambush, and cutting off large bodies who had separated themselves from the main army. In this way, a party of five hundred archers were attacked and cut to pieces by Moray the regent, and Sir William Douglas.[4] On another occasion, the Earls of March and Moray fell upon the Earl of Namur, as he was leading his band of foreign knights to join Edward at Perth. The two parties met on the Borough Muir; for the foreign troops, imagining that the country was wholly in possession of the English, had advanced fearlessly towards Edinburgh. The mercenaries, however, clad in complete steel, and strongly mounted, made a desperate defence; nor was it till the appearance of the Knight of Liddesdale, with a reinforcement, that they found themselves compelled to retreat into the town. Confined within the streets and lanes, the conflict now changed into a series of single combats; and it is interesting to remark the warm spirit of chivalry which diffuses itself into the details of our ancient historians, in their descriptions of this event. They dwell with much complacency on a famous stroke made by Sir David de Annand, a Scottish knight, who, enraged by a wound from one of the mercenaries, raised himself in his stirrups, and wielding a ponderous battle-axe with both hands, hewed down his opponent with such force, that the weapon cut sheer through man and horse, and was only arrested by the stone pavement, where the mark of the blow was shewn in the time of the historian.[5] The foreign soldiers were at last driven up the High Street to the castle. This fortress had been dismantled, but Namur and his knights took their stand on the rock, and having killed their horses, piled their bodies into a mound, behind which they, for a while, kept the Scots in check. They were at last compelled to surrender; and Moray and Douglas treated their noble prisoner, who was near kinsman to their

[1] Fordun a Goodal, book xiii. chap. xxiv. vol. ii. p. 317.
[2] Leland, Collect. vol. i. p. 555.
[3] Fordun a Hearne, vol. iv. p. 1025.
[4] Knighton, p. 2567.
[5] Extracta ex Chronicis Scotiæ, folio 197. Fordun, vol. ii. p. 319. Scala Chron. p. 165.

ally the King of France, with much generosity.[1] He and his brother knights and soldiers were set at liberty without ransom, and their captors accompanied them with an escort across the English border. But this act of courtesy cost Moray dear; for, on his return, his little party was attacked by the English, under William de Pressen, warden of Jedburgh Forest, and entirely routed. The regent was taken prisoner and instantly ironed, and shut up in the strong castle of Bamborough; Douglas, however, had the good fortune to escape a second captivity in England, but his brother James Douglas was slain.[2]

From Perth, Edward and Baliol made a destructive progress through the north of Scotland; and soon after the Earl of Cornwall, brother to the King of England, along with Sir Anthony Lucy, ravaged the western district of the kingdom, not even sparing the religious houses, but razing the churches to the ground, and burning along with them the unhappy wretches who had there taken sanctuary. After this he marched to Perth, and joined his forces to those of the king, who had returned from his northern expedition.[3]

At this melancholy crisis, when, to use an expression of an ancient historian, none but children in their games dared to call David Bruce their king,[4] the Earl of Athole shewed his versatile and selfish character. The captivity of Moray the regent had delivered him from a formidable opponent, and his ambition now prompted him to aspire to the vacant office of regent, for the purpose, as was shewn by the result, of gratifying his rapacity and his revenge. He accordingly informed Edward that he and his friends were willing to make their final submission; and he despatched five deputies, who concluded a treaty at Perth, in which the English monarch agreed that "the Earl of Athole, and all other Scottish barons who came under his peace, should receive a free pardon, and have their estates in Scotland secured."[5] By another article, the large English estates of this powerful baron were restored to him; and to give a colour of public zeal to an agreement essentially selfish, it was stipulated that the franchises of the Scottish Church, and the ancient laws of Scotland, should be preserved as they existed in the reign of Alexander the Third.[6] As the price of this pacification, Athole was immediately appointed governor in Scotland under Baliol; Edward having repaired the fortifications of Perth, returned to England, and the new governor, anxious to distinguish himself in the service of his master, began to slay or imprison the friends of Bruce, and to confiscate their estates, with a rapacity which filled the hearts of the people with an eager desire of vengeance.[7]

Nor was it long before this feeling was gratified. The handful of brave men, who still obstinately supported their independence, chose for their leader Sir Andrew Moray of Bothwell, in early life the pupil of Wallace, a soldier of great experience, and of undoubted integrity. This hardy veteran did not long remain inactive, and his first enterprise was eminently successful. It happened that within Kildrummie, a strong castle in the north, his wife, a noble matron, sister of Robert Bruce, had taken refuge during the insolent administration of Athole, who, eager to make himself master of so valuable a captive, instantly attacked it. Moray hastily collected a small army, and burning with a resentment which was kindled by a sense both of public and private wrongs, flew to raise the siege: he was accompanied by the Knight of Liddesdale and the Earl of March. Their troops encountered those of Athole in the Forest of Kilblene, and, after a

[1] Fordun a Hearne, vol. iv. p. 1026.
[2] Winton, vol. ii. p. 194.
[3] Fordun a Goodal, vol. ii. p. 323. Scala Chron. pp. 165, 166.
[4] Winton, vol. ii. p. 184.
[5] Knighton, p. 2566. This indemnity was declared not to extend to those who, *by common assent*, should be hereafter excepted from it.
[6] Tyrrel, vol. iii. p. 387.
[7] Fordun a Hearne, vol. iv. p. 1026.

short resistance, entirely dispersed them: Athole himself, with five knights who attended him, was slain in the wood.[1] He died young in years, but old in political intrigue and ambition, and successively the friend of every party which promised him most personal advantage. Insolent and unsteady, he yet possessed, from his immense estates and noble birth, a great capacity of doing mischief; and not only his last agreement with Edward, but the indiscriminate cruelty with which he was at that moment hunting down the few remaining friends of liberty, rendered his death, at this crisis, little less than a public benefit. It was followed by the election of Sir Andrew Moray to the regency of the kingdom, in a parliament held at Dunfermline.[2]

It might have been evident to Edward long before this that although it was easy for him to overrun Scotland, and destroy the country by the immense military power which he possessed, yet the nation itself was further than ever from being subdued. The people were strong in their love of liberty, and in their detestation of Baliol, whom they now regarded with the bitterest feelings of contempt. It was true, indeed, that many of their highest nobles, swayed by private ambition, did not hesitate to sacrifice their patriotism to the lust of power; yet, amongst the barons and gentry, there was a remnant left animated by better feelings, and kept up the spirit of resistance against the power of England.

This was remarkably shewn in the history of the present period. The death of Athole was followed by the reappearance of Edward in Scotland, at the head of a formidable army, strengthened by the accession of the Anglicised Scottish barons and their numerous vassals. Alarmed at the declaration, now openly made by the French king, of his intention to assist his ancient allies,[3] and prompted by the restless desire, so often formed, and so constantly defeated, of completing the subjugation of the country, the English monarch penetrated first to Perth, and afterwards into the more northern parts of the kingdom. His march was, as usual, marked by the utter destruction of the districts through which it lay. The counties of Aberdeen, Nairn, and Inverness, with their towns and villages, were wasted by fire and sword; but he in vain endeavoured to bring the regent, Sir Andrew Moray, to a battle.[4] Under the command of this leader, the Scots, intimately acquainted with the country, were ever near their enemy, and yet always invisible to them; and an anecdote of a masterly retreat, made during this northern campaign, has been preserved, which is characteristic of the cool discipline of Moray. On one occasion, word being brought to Edward that the regent was encamped in the wood of Stronkaltere,[5] he instantly marched against him. The intelligence was found to be true; the English and Scottish outposts came in sight of each other, in a winding road leading through the wood, and after some skirmishing, the Scots fell back to inform Moray of the near approach of the English army. The general was then at mass, and although the danger was imminent, none dared to interrupt him till the service was concluded. On being told that Edward and his army were at hand in the forest, he observed there was no need of haste; and, when the squires brought him his horse, began quietly to adjust its furniture, and to see that the girths were tight and secure. When this was going on, the English every moment came nearer, and the Scottish knights around Moray shewed many signs of impatience. This, it may be imagined, was not lessened when one of the straps which braced his thigh armour snapt as he buckled it; and the regent, turning to

[1] Winton, book viii. chap. xxxi. vol. ii. p. 201. Fordun a Hearne, vol. iv. p. 1027.
[2] Fordun a Hearne, p. 1028.
[3] Rymer, vol. iv. pp. 704-6.
[4] Fordun a Hearne, p. 1028.
[5] The exact position of this ancient wood cannot now be discovered. I conjecture it was in Perthshire, somewhere between Dunkeld and Blair.

an attendant, bade him bring a coffer from his baggage, from which he took a skin of leather, and, sitting down leisurely on the bank, cut off a broad strip, with which he mended the fracture. He then returned the box to its place, mounted his horse, arrayed his men in close column, and commenced his retreat in such order that the English did not think it safe to attack him; and having at last gained a narrow defile, he disappeared from their view without losing a man. "I have heard," says Winton, "from knights who were then present, that in all their life they never found time to go so slow as when their old commander sat cutting his leather skin in the wood of Stronkaltere."[1]

The widow of Athole was, soon after this, shut up by the army of Moray in the castle of Lochendorb: she was the daughter of Henry Beaumont, who, forgetful of the conditions under which he had obtained his freedom at Dundarg, had accompanied Edward into Scotland, and she now earnestly implored the king and her father to have compassion on her infant and herself, and to raise the siege. It was an age in which the ordinary events of the day assumed a chivalrous and romantic character. A noble matron in sorrow for the slaughter of her husband, beleaguered in a wild mountain fortress, and sending for succour to the King of England and his barons, is an incident similar to what we look for in Amadis or Palmerin. The monarch obeyed the call, and hastened to her rescue. On his approach, the regent again retired into the woods and morasses; and the king, having freed the countess from her threatened captivity, wasted with fire and sword the rich province of Moray. Unable, however, to dislodge the Scottish commander from his strengths, he was at last compelled to leave the country, with the conviction that every forest or mountain-hold which he passed afforded a shelter for his enemies, who would reappear the instant he retreated. He endeavoured, however, more effectually to overawe the spirit of resistance, by having a powerful fleet in the Firth of Forth, and on the eastern and western coasts of the kingdom;[2] and before he retired he repaired and garrisoned anew the most important fortresses in the kingdom. He then left a reinforcement of troops with his army at Perth, intrusted the command to his brother, the Earl of Cornwall, and returned to England.

On his departure, Sir Andrew Moray instantly appeared from his fastnesses. Sir William Douglas, the knight of Liddesdale, Sir William Keith, and other patriot barons, assembled their vassals: and the castles of Dunnottar, Kinclevin, and Laurieston, were wrested from the English, after which, according to Bruce's old practice, they were broken up and dismantled.[3] Soon after, the regent made himself master of the tower of Falkland and the castles of St Andrews, Leuchars, and Bothwell, which he razed and destroyed.[4]

A grievous famine, occasioned by the continued ravages of war, and the cessation of all regular agricultural labour, had for some time desolated Scotland; and the regent, anxious to obtain subsistence for his army in the enemy's country, made various predatory expeditions into England.[5] On his return, he reduced the whole of the Lothians, and laid siege to the castle of Edinburgh. The lords marchers of England hastened with a strong body of troops to relieve it. They were encountered by William Douglas, the knight of Liddesdale, near Crichton castle, and, after much hard fighting, were compelled to retire across the Tweed. But Douglas was grievously wounded, and his little army so crippled with the loss which

[1] Winton, vol. ii. pp. 204, 205.

[2] Fordun a Goodal, vol. ii. pp. 318, 322.

[3] Fordun a Hearne, vol. iv. p. 1030. Leland, Coll. vol. i. p. 556. Winton, vol. ii. p. 214.

[4] Fordun a Hearne, vol. iv. p. 1031. It is stated by this historian that after this, Moray commenced the siege of Stirling; but that the English monarch, advertised of these disasters, again flew to his army in Scotland; while his wary antagonist, as was his custom, retired before a superior force, and awaited the return of Edward to his own dominions. This event, however, belongs, I suspect, to a later year.

[5] Fordun a Goodal, vol. ii. p. 324. Rotuli Scotiæ, 2 Edward III., vol. i. p. 507.

he sustained, that Moray deemed it expedient to abandon the siege.[1]

During the whole of this obstinate war, the French king had never ceased to take a deep interest in the affairs of his allies. Before David had been compelled to take refuge in his kingdom, he had sent him a seasonable present of a thousand pounds.[2] By his earnest remonstrances he had succeeded in procuring many truces in favour of the Scots; and, as the breach between France and England gradually grew wider, the French ships had occasionally assisted the Scottish privateers in infesting the English coast, and had supplied them with stores, arms, and warlike engines.[3] Against these maritime attacks, it was the policy of Edward to arm the vessels of the petty sea-kings, who were lords of the numerous islands with which the western sea is studded; and for this purpose he had entered into an alliance with John of the Isles,[4] one of the most powerful of these island chiefs. But his efforts in the Scottish war began at length to languish; occupied with his schemes of continental ambition, he found himself unable to continue hostilities with his usual energy; and, after four successive campaigns in Scotland, which he had conducted in person, at the head of armies infinitely more numerous than any which could be brought against them, he had the mortification to discover that the final conquest of that country was as remote as ever. He now endeavoured to gain time, by amusing the Scots with the hopes of a general peace; but the barons who led the opposition against England were well informed of the approaching rupture with France, and, aware that the opportunity was favourable for the entire expulsion of the English, they rejected all overtures for a pacification, and pushed on the war with vigour.

The event shewed the wisdom of such conduct; for the English monarch had advanced too far in his quarrel with Philip to withdraw, or even postpone his pretensions, and to the great joy of the Scots, war between the two countries was declared, by Edward making his public claim to the crown of France on the 7th of October 1337.[5]

The Earls of Arundel, Salisbury, and Norfolk, with Edward Baliol, were now left in command of the army in Scotland; and on the failure of the negotiations for peace, Salisbury laid siege to the castle of Dunbar, a place of great importance, as the key to Scotland on the south-east border.[6]

The Earl of March, to whom this fortress belonged, was not then on the spot; but his wife, a daughter of the famous Randolph, earl of Moray, with the heroic spirit of her family, undertook the defence of the castle.[7] For five months, in the absence of her lord, Black Agnes of Dunbar, as she was called by the vulgar from her dark complexion, maintained an intrepid stand against the assault of the English army, and with many fierce witticisms derided them from the walls. When the stones from the engines of the besiegers struck upon the battlements, she directed one of her maidens to wipe off the dust with a white napkin, a species of female defiance which greatly annoyed the English soldiers. Perpetually on the ramparts, or at the gate, she exposed her person in every situation of danger, directing the men at arms and the archers, and extorting even the praise of her enemies by her determined and warlike bearing. It happened that an arrow from one of the Scottish archers struck an English knight, who stood beside the Earl of Salisbury, through his surcoat, and, piercing the habergeon, or chained mail-coat, which

[1] Fordun a Goodal, vol. ii. p. 332. Scala Chron. p. 167. Leland's Coll. vol. i. p. 556.

[2] Chamberlain Accounts, Compot. Camerarii Scotiæ, p. 253. Et de 56 lb. 13 sh. 4d. recept. de Dno Com. Moravie illis mille libris, concess. Dno nostro regi per regem Franciæ ante adventum suam in Franciam. Ibid. p. 261.

[3] Rotuli Scotiæ, vol. i. p. 513.

[4] Rymer, Fœdera, vol. iv. p. 711. Rotuli Scotiæ, 11 Edward III., p. 516.

[5] Rapin's Acta Regia, vol. i. p. 239. Rymer's Fœdera, vol. iv. p. 818.

[6] Fordun a Goodal, vol. ii. p. 325.

[7] Winton, vol. ii. p. 208.

was below it, made its way through three plicatures of the acton which he wore next his body, and killed him on the spot. "There," cried Salisbury, "comes one of my lady's tire-pins: Agnes's love-shafts go straight to the heart." At length the English, foiled in every assault, and finding that the strength of the walls defied the efforts of their battering engines, judged it necessary to convert the siege into a blockade. This had nearly succeeded. A fleet, amongst which were two large Genoese ships, entirely obstructed all communication by sea; and the garrison began to suffer dreadfully from want of provisions, when Alexander Ramsay of Dalhousie sailed at midnight with a light vessel, from the Bass. Favoured by the darkness, he passed unobserved through the line of the enemy's fleet, and ran his ship, laden with provisions, and with forty stout soldiers on board, close under the wall of the castle. This last success deprived Arundel and Salisbury of their only hope of making themselves masters of this important fortress; and, mortified by repeated failure, they withdrew the army, and retired with the disgrace of having been foiled for five months, and at last entirely defeated, by a woman.[1]

Edward now began to experience the distress which the expense of a double war, and the necessity of maintaining an army both in France and Scotland, necessarily entailed upon him. Animated by the fiercest resentment, the Scots, under the guidance of such able soldiers as the regent, the Knight of Liddesdale, and Ramsay of Dalhousie, were now strong enough to keep the open country, which they cleared of their enemies, compelling the English to confine themselves within the walls of their castles. Edinburgh, Perth, Stirling, Cupar, and Roxburgh were still in their hands, and the king commanded large supplies of provisions to be levied upon his English subjects, and transported into Scotland; but this occasioned grievous discontent, and in some cases the commissaries were attacked and plundered.[2] Nor even when the supplies were procured was it an easy matter to carry them to their destination; for the enemy watched their opportunity, and became expert in cutting off convoys, and assaulting foraging parties; so that the war, without any action of great consequence, was occupied by perpetual skirmishes, concluding with various success, but chiefly on the side of the Scots. Sir William Douglas, the knight of Liddesdale, whose bravery procured him the title of the Flower of Chivalry, expelled the English from Teviotdale; overpowered and took prisoner Sir John Stirling, at the head of five hundred men-at-arms; intercepted a convoy near Melrose as it proceeded to the castle of Hermitage, which he soon after reduced; attacked and defeated Sir Roland de Vaux; and routed Sir Laurence Abernethy, after a conflict repeatedly renewed, and obstinately contested.[3]

Meanwhile, in the spirit of the age, these desperate encounters were sometimes abandoned for the more pacific entertainments of jousts between the English and Scottish knights, the result of which sometimes proved little less fatal than in the conflicts of actual war; whilst to a modern reader they throw a strong light on the manners of the times. Henry de Lancaster, earl of Derby, with great courtesy, sent a herald to request the Knight of Liddesdale to run with him three courses; but in the first Douglas was wounded by a splinter of his own lance in the hand, and compelled to give up the contest. The English earl then entreated Sir Alexander Ramsay of Dalhousie to hold a solemn jousting for three days at Berwick, twenty against twenty; a proposition which was instantly accepted, but it turned out a sanguinary pastime. Two English knights were slain; and Sir William Ramsay was struck through the bars of his aventaile by a spear, which penetrated so deep that

[1] Fordun a Hearne, vol. iv. p. 1032. Fordun a Goodal, vol. ii. p. 325. MS. Extracta ex Chronicis Scotiæ, folio, p. 201.

[2] Rotuli Scotiæ, 12 Ed. III., Oct. 12th, vol. i. p. 546. See also pp. 438, 451.

[3] Fordun a Goodal, vol. ii. p. 329.

it was deemed certain he would expire the moment it was extracted. He was confessed, therefore, in his armour; and as the knights crowded round, "So help me, Heaven," said Derby, who stood hard by, "I would desire to see no fairer sight than this brave baron thus shrived with his helmet on; happy man should I be could I insure myself such an ending." Upon this, Sir Alexander Ramsay placed his foot upon his kinsman's helmet, and by main force pulled out the broken truncheon, when the wounded knight started on his feet, and declared he should soon ail nothing. He died, however, immediately in the lists.[1] "What stout hearts these men have!" was Derby's observation; and with this laconic remark the jousting concluded. On another occasion, Sir Patrick de Graham, a Scottish knight, having arrived from France, Lord Richard Talbot begged to have a joust with him, and was borne out of his saddle and wounded, though not dangerously, through his habergeon. Graham was then invited to supper; and in the midst of the feast an English knight, turning to him, courteously asked him to run with him three courses. "Sir knight," replied Graham, "if you would joust with me, I advise you to rise early and confess, after which you will soon be delivered." This was said in mirth, but it proved true; for in the first course, which took place next morning, Graham struck the English knight through the harness with a mortal wound, so that he died on the spot.[2]

Such were the fierce pastimes of those days of danger and blood. On resuming the war, the tide of success still continued with the Scots, and Sir Alexander Ramsay rivalled the fame of the Knight of Liddesdale. At the head of a strong band of soldiers, he infested the rocky and wooded banks of the Esk; and concealing himself, his followers, and his booty, in the caves of Hawthornden, sallied from their recesses, and carried his depredations to the English borders, cruelly ravaging the land, and leading away from the smoking hamlets and villages many bands of captives. In these expeditions his fame became so great that there was not a noble youth in the land who considered his military education complete unless he had served in the school of this brave captain.[3] On one occasion he was pursued and intercepted by the lords marchers in a plain near Werk Castle; but Ramsay attacked and routed the enemy, took Lord Robert Manners prisoner, and put many to the sword.[4]

About this time Scotland lost one of its ablest supporters. Sir Andrew Moray, the regent, sinking under the weight of age, and worn out by the constant fatigues of war, retired to his castle at Avoch, in Ross, where he soon after died; upon which the High Steward was chosen sole governor of Scotland. Moray, in early life, had been chosen by Wallace as his partner in command; and his subsequent military career was not unworthy of that great leader. His character, as it is given by Winton, possesses the high merit of having been taken from the lips of those who had served under him, and knew him best. He was, says he, a lord of great bounty; of sober and chaste life; wise and upright in council; liberal and generous; devout and charitable; stout, hardy, and of great courage.[5] He was endowed with that cool and somewhat stern and inflexible character of mind which peculiarly fitted him to control the fierce temper of the feudal nobility at a period when the task was especially difficult; and it may be added that, when the bravest, despairing for their country, had, by the sacrifice of its independence, saved their estates, Moray scorned to follow such examples; and, imitating his old master in arms, Wallace, appears never to have sworn fealty to any king of England. He was buried in the little chapel of Rosemartin; but his body was afterwards raised and carried to Dunfermline,

[1] Fordun a Goodal, vol. i. p. 329. Winton, vol. ii. pp. 220, 223.
[2] Winton, vol. ii. p. 224.
[3] Fordun a Goodal, vol. ii. p. 333.
[4] Ibid. Scala Chron. p. 168.
[5] Winton, vol. ii. p. 217.

where it now mingles with the heroic dust of Bruce and Randolph.[1]

The first act of the Steward was to despatch the Knight of Liddesdale upon a mission to the court of France to communicate with King Philip, and to procure assistance. He then assembled his army and commenced the siege of Perth, upon the fortifications of which the English, considering it a station of the first importance, had expended vast sums of money. Meanwhile Baliol, universally hated by his countrymen, became an object of suspicion to the English; and leaving Perth, in obedience to the orders of Edward, retired a pensioned dependant into England. Ughtred, a baron who had long served in the Scottish war, undertook its defence, and for ten weeks the town resisted every effort of the besiegers, so that the army of the Steward began to meditate a retreat, when there suddenly appeared in the Tay five French ships of war.

This squadron was commanded by Hugh Hautpile, a skilful naval officer, and had on board a strong party of men-at-arms, under the leading of Arnold Audineham, afterwards a mareschal of France;[2] the Lord of Garencieres, who had formerly been engaged in the Scottish wars; and two esquires, Giles de la Huse, and John de Bracy. Along with them came the Knight of Liddesdale; and immediately, all idea of relinquishing the siege being abandoned, hostilities recommenced by the French ships seizing the English victualling vessels, and effectually cutting off every supply from the garrison.

At this time William Bullock, Baliol's chancellor, who commanded in the castle of Cupar, which had baffled the attack of the late regent, betrayed his master, and joined the army before Perth. This military ecclesiastic was one of those extraordinary individuals whom the troubled times of civil disorder so frequently call out from the quiet path to which more ordinary life would have confined them. His talents for state affairs and for political intrigue were great; yet we are told by the historians of the time that his ability in these matters was exceeded by his uncommon genius for war; and we cannot wonder that these qualities made him to be dreaded and courted by all parties. In addition to this, he was ambitious, selfish, and fond of money: passions which could not be gratified if he continued attached to a falling cause. Accordingly, the arrival of the French auxiliaries, the desertion of Scotland by Baliol, with the bribe of an ample grant of lands,[3] induced him to renounce the English alliance, and deliver up the castle where he commanded. He then joined the army besieging Perth, and his military experience was soon shewn by the success of the operations which he directed. Although the Knight of Liddesdale was grievously wounded by a javelin, thrown from one of the springalds, and the two captains of the Scottish archers slain, yet Bullock insisted in continuing and pressing the siege;[4] and the Earl of Ross, with a body of miners, having contrived to make a subterranean excavation under the walls, drew off the water from the fosse surrounding the town, and rendered an assault more practicable. The minuteness of one of our ancient chronicles has preserved a striking circumstance which occurred during the siege. In the midst of the military operations the sun became suddenly eclipsed, and as the darkness gradually spread over all, the soldiers of both armies forgot their duties, and, sinking under the influence of superstitious terror, gazed fearfully on the sky.[5] Bullock, however, unintimidated

[1] Fordun a Hearne, vol. iv. p. 1032.

[2] Froissart par Buchon, vol. i. p. 211. Compot. Camerarii Scotiæ, pp. 255, 277. Fordun a Goodal, vol. ii. p. 330.

[3] It must have been ample, for Bullock renounced a considerable property conferred on him by Edward. See Rotuli Scotiæ, 28th July, 13 Edw. III. vol. i. p. 571.

[4] Fordun a Goodal, vol. ii. p. 330. Winton, vol. ii. p. 234.

[5] Winton, vol. ii. p. 234. I find, by the result of a computation, politely and kindly communicated to me by its distinguished author, Professor Henderson, that the eclipse took place on the 7th July, commencing at twelve minutes after noon, the greatest observation being at twenty-eight minutes after one, when eleven one-third digits of the sun's disc were eclipsed, leaving only two-thirds of

by what was then considered an omen of wrath, gave orders for the tents to be struck and pitched nearer the town, previous to his attempt to storm; but the English governor had now lost resolution; and, seeing his provisions exhausted, his hope of supplies cut off, and his fosse dry and ready to be filled by the fagots of the besiegers, capitulated upon honourable terms. The soldiers of the garrison and the governor Ughtred were instantly shipped for England, where his conduct became the subject of parliamentary inquiry.[1] Thus master of Perth, the Steward, according to the wise policy of Bruce, cast down the fortifications,[2] and proceeded to the siege of Stirling.

It is difficult to imagine a more lamentable picture than that presented by the utter desolation of Scotland at this period. The famine, which had been felt for some years, now raged in the land. Many had quitted their country in despair, and taken refuge in Flanders; others, of the poorer sort, were driven into the woods, and, in the extremities of hunger, feeding upon the raw nuts and acorns which they gathered, were seized with diseases which carried them off in great agony.[3] The continued miseries of war reduced the district round Perth to the state of a desert, where there was neither house for man nor harbour for cattle; and the wild deer coming down from the mountains, resumed possession of the desolate region, and ranged in herds within a short distance of the town. It is even said that some unhappy wretches were driven to such extremities of want and misery, as to prey upon human flesh; and that a horrid being, vulgarly called *Cristicleik*, from the iron hook with which he seized his victims, took up his abode in the mountains, and, assisted by a ferocious female, with whom he lived, lay in ambush for the travellers who passed near his den, and methodically exercised the trade of a cannibal.[4] The story is perhaps too dreadful for belief; yet Winton, who relates it, is in no respect given to the marvellous; and a similar circumstance is recorded as late as the reign of James the Second.

In the midst of this complicated national distress, the Steward continued to prosecute the siege of Stirling with much vigour and ability; and Rokesbury, the governor, after a long and gallant defence, was at last compelled by famine to give up the castle, which, being found too strong in its mason work and bastions to be easily dismantled, was intrusted to the keeping of Maurice of Moray.[5] In this siege, the Scots had to lament the loss of Sir William Keith, a brave and experienced soldier, who had done good service in these wars. As he mounted the ladder in complete armour, he was struck down by a stone thrown from the ramparts, and, falling heavily and awkwardly, was thrust through by his own spear.[6] It is related by Froissart that cannon were employed at the siege of Stirling; but the fact is not corroborated by contemporary historians.

Scotland had of late years suffered severely from famine, and had owed its support more to provisions surreptitiously imported from England, than to the fruits of native industry.[7] But the exertions of the High Steward, and his fellow soldiers Douglas and Ramsay, had now expelled the English from nearly the whole country; the castles of Edinburgh, Jedburgh, Lochmaben, and Roxburgh, with some

a digit uneclipsed. The eclipse ended at forty-two minutes after two.

[1] Fœdera, vol. v. p. 131.

[2] Winton, vol. ii. p. 236.

[3] Fordun a Goodal, vol. ii. p. 324. Winton, vol. ii. p. 236.

[4] Winton, vol. ii. p. 236. Fordun a Goodal, vol. ii. p. 331.

[5] Lord Hailes seems to have antedated the siege of Stirling, when he places it in the year 1339. We find, from the Rotuli Scotiæ, vol. i. p. 600, 14 Edw. III. m. 15, that Stirling was in possession of the English as late as 1340; and that in June 1341 the Scots were employed in the second siege of Stirling. What was the exact date of the first siege is uncertain, but it seems to have been interrupted by an armistice. Fordun a Hearne, p. 1031, asserts that Sir William Keith was slain at the siege of Stirling in 1337; but the date is an error.

[6] Winton, vol. ii. p. 237.

[7] Rotuli Scotiæ, vol. i. p. 541.

inferior strengths in their vicinity, were all that remained in the hands of Edward; and the regent seized a short interval of peace to make a progress through the country, for the re-establishment of order and the distribution of justice.[1] The good effects of this were soon observable in the gradual revival of regular industry: to use the strong language of Bower, the kingdom began to breathe anew; husbandmen once more were seen at the plough, and priests at the altar; but the time which was allowed proved too short to give permanency to these changes. War suddenly recommenced with great fury; and the castle of Edinburgh, commanded by Limosin, an English knight, fell into the hands of the enemy. The Scots owed the possession of this fortress to a stratagem of Bullock, the late governor of Cupar, executed with address and boldness by the Knight of Liddesdale.

The castle was strongly fortified both by art and nature; and, as its garrison scoured and commanded the country round, they gave great annoyance to the Scots. Douglas, who lurked in the neighbourhood with two hundred soldiers, procured Walter Curry, a merchantman of Dundee,[2] to run his ship into the Forth, under pretence of its being an English victualling vessel, and to make an offer to supply the garrison with wine and corn. The device succeeded; and the porter, without suspicion, opened the outer gate and lowered the drawbridge to the waggons and hampers of the pretended merchant and his drivers, who, throwing off the gray frocks which covered their armour, stabbed the warder in an instant, and sounded a horn, which called up Douglas and his men from their ambush at the foot of the hill. All this could not be so rapidly executed but that the cry of treason alarmed the governor; and the soldiers arming in haste, and crowding to the gates, began a desperate conflict. The waggons, however, had been so dexterously placed, that it became impossible to let down the portcullis; and Douglas rushing in with his men, soon decided the affair. Of the garrison, only the governor, Limosin, and six esquires, escaped;[3] the rest were put to the sword, and the command of the castle was intrusted to a natural brother of the Knight of Liddesdale.

There are two particulars regarding this spirited enterprise which are worthy of remark. Curry was a Scotsman, yet it seems he found no difficulty in introducing himself as an English merchant, from which there arises a strong presumption that the languages spoken in both countries were nearly the same; and both he and his followers, before they engaged in the enterprise, took the precaution of shaving their beards, a proof that the Norman fashion of wearing no beard had not been adopted in Scotland in the fourteenth century.[4] Soon after this success, the regent and the Estates of Scotland, considering the kingdom to be almost cleared of their enemies, sent an embassy to France, requesting that their youthful sovereign would return to his dominions. David accordingly, who had now for nine years been an exile in a foreign land, embarked with his queen; and, although the English ships had already greatly annoyed the Scots, and still infested the seas, he had the good fortune to escape all interruption, and to land in safety at Innerbervie on the 4th of June, where he was received with the utmost joy by all classes of his subjects.[5]

The young king was now in his eighteenth year, and began to betray a character violent in its passions and resentments, and of considerable personal intrepidity; but his education at the French court had smitten him

[1] Fordun a Goodal, vol. ii. pp. 331, 332.

[2] Curry seems to have been assisted by another person, named William Fairley. Chamberlain Accounts. Compotum Camerarii Scotiæ, p. 278. They received a grant of 100 lbs. reward from a parliament held at Scone. Ibid.

[3] Froissart, vol. i. p. 359. *Edition de Buchon.*

[4] Winton, vol. ii. pp. 240, 243. Fordun a Goodal, vol. ii. p. 332.

[5] Fordun a Goodal, vol. ii. p. 334. Winton, vol. ii. p. 250.

with an immoderate love of pleasure: he possessed few of the great qualities necessary for the government of a kingdom so perilously circumstanced as Scotland; and he appears to have been totally unacquainted with the dispositions of the fierce and independent nobility over whom he ruled. This was the more to be regretted, as the circumstances in which he found the country upon his arrival were such as, to manage successfully, required a union of great prudence and firmness. In the minority which had taken place since the death of Bruce, and in the absence of the name and power of a king, a race of fierce and independent barons had grown up, who ruled at will over their own vast estates, and despised the authority of the laws. Between the king and the Steward of Scotland, who now laid down his office of regent, there does not appear to have been any cordial feelings; and it is probable that David never forgot the conspiracy of Athole in 1334, by which this fickle and ambitious baron, and the Steward, then a young man, acknowledged Baliol, and made their peace with Edward. Athole indeed was slain, and the subsequent conduct of the Steward had been consistent and patriotic; but the king could not fail to regard him with that jealousy which a monarch, without children, is apt to feel towards the person whom the parliament had declared his successor, and who had already, on one occasion, shewn so little regard for his allegiance.

As for the other powerful barons, the Knight of Liddesdale, his kinsman Lord William Douglas, the Earl of Moray, Sir Alexander Ramsay of Dalhousie, and Bullock, who soon after became chamberlain, they were indeed unanimous in their opposition to England; but a long possession of military power made them impatient of the control of a superior, and it was almost impossible for a sovereign to confer his favours upon them without exciting jealousy and dissension. All this, in a short time, became apparent; and a thoughtless measure, which the monarch adopted soon after his arrival, evinced his ignorance and want of judgment in a fatal manner. Sir Alexander Ramsay of Dalhousie had distinguished himself in the Scottish wars, and was universally beloved in the country for his brave and patriotic qualities. Scarcely had the young king arrived in his dominions when word was brought him that Roxburgh castle, a fortress of great strength and importance, had been taken in a night escalade by this baron, upon whom, in the first ardour of his gratitude, David conferred the government of the place, and along with it the sheriffship of Teviotdale.[1] This was a generous but thoughtless act, and certainly unjust, for the Knight of Liddesdale then held the office of sheriff; and a fierce and deadly enmity arose in the breast of Douglas against Ramsay, his old companion in arms. His way of revenging himself affords a melancholy proof of the lawless independence of these feudal nobles, as well as of the treachery of his disposition. He first pretended to be reconciled to Ramsay; and, having silenced suspicion by treating him with his usual friendship, led a band of soldiers to Hawick, where he knew that the new sheriff held his court in the open church. It is said that Ramsay was warned of his intention, but, trusting to the reconciliation which had taken place, discredited the story. On Douglas entering the church, Ramsay invited him to take his place beside him, on which that fierce baron drew his sword, seized his victim, who was wounded in attempting a vain resistance, and throwing him bleeding across a horse, carried him off to his castle of Hermitage, where he thrust him into a dungeon. It happened that there was a granary above his prison, and some particles of corn fell through the chinks and crevices of the floor, upon which he supported a miserable existence for seventeen days, and at last died of hunger.[2]

[1] Winton, vol. ii. p. 252.

[2] Winton, vol. ii. p. 254. More than four hundred years after this, a countryman, in excavating round the foundation of Hermit-

It is a melancholy reflection that a fate so horrid befell one of the bravest and most popular leaders of the Scottish nation; and that the deed did not only pass unrevenged, but that its perpetrator received a speedy pardon, and was rewarded by the office which had led to the murder. Douglas became governor of Roxburgh castle, sheriff of Teviotdale, and protector of the middle marches, and owed his pardon and preferment to the intercession of the High Steward of Scotland. In attempting to form an estimate of the manners of the age, it ought not to be forgotten that this savage murder was perpetrated by a person who, for his knightly qualities, was styled the "Flower of Chivalry." It was an invariable effect of the principle of vassalage in the feudal system that the slaughter of any of the greater barons rendered it an imperative duty in every one who followed his banner to revenge his death upon all who were in the most remote degree connected with it; so that we are not to wonder that the assassination of Ramsay was followed by interminable feuds, dissensions, and conspiracies, not only amongst the higher nobility, but amongst the lesser barons. It was probably one of these plots, of which it is impossible now to detect the ramifications, that accelerated the fate of Bullock, the able and intriguing ecclesiastic renegade, who had deserted Baliol to join the king. Having become suspected by his master, he was suddenly stript of his honours, deprived of the high offices in which he had amassed immense wealth, and cast amongst the meanest criminals, into a dungeon of the castle of Lochendorb, in Moray, where he was starved to death. The probable truth seems to be, that Bullock, a man of high talents, but the slave of ambition and the love of intrigue, had been tampering with the English, and that his fate, though cruel, was not unmerited.[1]

The period immediately following the arrival of David in his dominions till we reach the battle of Durham[2] is undistinguished by any events of importance. The Scots, with various success, invaded and ravaged the Border counties of England; but a revolt of the Island chief, John of Argyle, and other northern barons,[3] recalled the king's attention to the unsettled state of his affairs at home, and made him willing to accede to a two-years' truce with England. This interval was employed by Edward in an attempt to seduce the Knight of Liddesdale from his allegiance, and there seems reason to think that a conspiracy, at the head of which was this brave but fickle soldier, and which had for its object the restoration of Baliol to the crown, was organising throughout Scotland, and that Bullock, whose fate we have just recounted, was connected with the plot.[4] It is certain, at least, that Douglas had repeated private meetings with Baliol and the English commissioners; that he had agreed to embrace the friendship of the King of England, and to receive a reward for his services.[5] These treacherous designs, however, came to nothing. It may be that the stipulated reward was not duly paid; or, perhaps the fate of Bullock was a timely warning to Douglas; and, anxious to wipe away all suspicion of treachery, the Knight of Liddesdale, regardless of the truce, broke across the Borders at the head of a numerous army, burnt Carlisle and Penrith, and after a skirmish, in which the Bishop of Carlisle was unhorsed, retreated precipitately into Scotland.

age castle, laid open a stone vault, in which, amid a heap of chaff and dust, lay several human bones, along with a large and powerful bridle-bit, and an ancient sword. These were conjectured, and with great probability, to have belonged to the unfortunate victim of Douglas

1 Fordun a Goodal, vol. ii. p. 336.
2 From 1342 to 1346.
3 Knighton, p. 2581.
4 This may be inferred, I think, from the circumstance that Bullock was seized by David de Berklay; and Berklay himself was, not long after, waylaid and assassinated by John de Saint Michael, *at the instigation* of the Knight of Liddesdale. Fordun a Hearne, pp. 1035 and 1940. See also Hume's Douglas and Angus, vol. i. pp. 142, 143.
5 Rotuli Scotiæ, vol. i. pp. 637, 640. April 10, 1343. Fœdera, vol. v. p. 379.

After this recommencement of hostilities, the mortal antipathy between the two countries broke out with greater violence than before; and the young king, believing Edward to be entirely occupied with his war on the continent, and anxious to produce a diversion in favour of his ally, Philip of France, gave orders for assembling an army, and resolved to invade England in person.[1] The muster took place at Perth, and was greater than any known for a long period; troops were drawn from the islands of Scotland, as well as the mainland; but the Highland chiefs brought their deadly feuds along with them, and these soon broke out into bloodshed. The Earl of Ross assassinated Ranald of the Isles in the monastery of Elcho, and dreading the royal vengeance, led his men back to their mountains—a circumstance which, in those days of superstition, was considered by the rest of the army a bad omen of success. In one respect it was worse than ominous; for not only Ross's men left the army, but the soldiers of the Isles, deprived of their leader, dispersed in confusion; whilst many of the inferior Highland lords, anxious for the preservation of their lands, privately deserted, and returned home; so that the king found his forces greatly reduced in number.

Inheriting, however, the bravery of his father, but, as the event shewed, little of his admirable judgment and military skill, David pressed forward from Perth; and, after rapidly traversing the intervening country, on reaching the Border, sat down before the castle of Liddel, then commanded by Walter Selby. Selby was that fierce freebooting chief whose services we have seen successfully employed by King Robert Bruce to waylay and plunder the Roman cardinals in their ill-fated attempt to carry the bulls of excommunication into Scotland. Since that time, he had lent himself to every party which could purchase his sword at the highest rate, and had lately espoused the quarrel of Edward Baliol, from whom he received a grant of lands in Roxburghshire.[2] David brought his military engines to bear upon the walls, which, after six days' resistance, were demolished.[3] Hethen stormed the castle, put the garrison to the sword, and ordered Selby to instant execution.

After this success, the veteran experience of the Knight of Liddesdale advised a retreat. Douglas was, no doubt, aware of the strength of the northern English barons, and the overwhelming force which soon would be mustered against them; but his salutary counsel was rejected by the youthful ardour of the king, and the jealousy of the Scottish nobles. "You have filled," said they, "your own coffers with English gold, and secured your own lands by our valour; and now you would restrain us from our share in the plunder, although the country is bare of fighting men, and none but cowardly clerks and mean mechanics stand between us and a march to London."[4]

This, however, was a fatal mistake; for although Edward, with the army which had been victors at Cressy, lay now before Calais, yet Ralph Neville of Raby, Lord Henry Percy, Edward Baliol, the ex-king of Scotland, the Earl of Angus, and the Border lords, Musgrave, Scrope, and Hastings, with many other barons, instantly summoned their strength to repel the invasion; and a body of ten thousand men, who were ready to embark for Calais, received counter orders, and soon joined the muster. Besides this, the Archbishops of Canterbury and York, and the Prelates of Durham, Carlisle, and Lincoln, assumed their temporal arms, and with such of their church troops and vassals as had not accompanied the king, assembled to defend the country, so that an army of thirty thousand men, including a large body of men-at-arms, and twenty thousand English archers,[5] were speedily on their march against the Scots.

[1] Walsingham, pp. 165, 516.

[2] Rotuli Scotiæ, vol. i. p. 820.

[3] Robert of Avesbury, a Hearne, p. 145.

[4] Fordun a Goodal, vol. ii. p. 340.

[5] Winton, vol. ii. pp. 260, 261. Fordun a Goodal, vol. ii. p. 341.

David, meanwhile, advanced to Hexham, and for fourteen days plundered and laid waste the country, leaving his route to be traced through the bishopric of Durham by the flames of villages and hamlets. It seems to have excited unwonted resentment and horror that he did not spare even the sacred territory of St Cuthbert, although, if we may believe a monkish historian, the venerable saint visited the slumbers of the king, and implored him to desist from the profanation. Satiated at length with plunder, the Scottish army encamped at a place called Beaurepair, now Bear Park, within a short distance of Durham. By this time, the English army had taken up their ground in the park of Bishop Auckland, not six miles distant from Beaurepair. The Scots' position was ill chosen. It was a plain or common, much intersected with ditches and hedges, which separated the divisions, and hindered them from supporting each other; and the country round was of that undulated kind, that, unless the scouts were active, an enemy might approach within a few miles without being discovered. This was, in truth, the very event which happened; and it gave melancholy proof that there were no longer such leaders as Bruce, or the Good Sir James, in the Scottish army.

At daybreak, the Knight of Liddesdale pushed on before the rest of the Scots. He led a strong squadron of heavy-armed cavalry, and, advancing for the purpose of forage through the grounds near Sunderland, suddenly found himself in presence of the whole English army. The proximity of the enemy rendered a retreat as hazardous as a conflict; yet Douglas attempted to retire; but his squadron was overtaken, and driven back, with the loss of five hundred men, upon the main body of the Scots. David instantly drew up his army in three divisions. He himself led the centre; the right wing was intrusted to the Earl of Moray, while the Knight of Liddesdale, and the Steward, with the Earl of Dunbar, commanded the left. These dispositions were made in great haste and alarm, and scarcely completed, when the English archers had advanced almost within bowshot.[1] Sir John de Graham, an experienced soldier, at this moment rode up to the king, and earnestly besought him to command the cavalry to charge the archers in flank. It was the same manœuvre which had been successful at Bannockburn, but from ignorance, or youthful obstinacy, David was deaf to his advice. "Give me," cried Graham, in an agony of impatience, as the fatal phalanx of the archers advanced nearer and nearer; "give me but a hundred horse, and I engage to disperse them all."[2] Yet even this was unaccountably denied him, and the brave baron, seconded by none but his own followers, threw himself upon the bowmen; but it was too late; time had been given them to fix their arrows, and the deadly shower was sped. Graham's horse was shot under him, and he himself with difficulty escaped back to the army.

It was now nine in the morning, (17th Oct. 1346,) and the whole English force had come up. A large crucifix was carried in the front of the line, around it waved innumerable banners and pennons, gorgeously embroidered, belonging chiefly to the Church, and the close battle immediately began, under circumstances discouraging to the Scots. The discharge of the archers had already greatly galled and distressed them, the division commanded by the Earl of Moray was fiercely attacked by the English men-at-arms, the ditches and hedges which intersected the ground broke his array and impeded his movements, and the English cavalry charged through the gaps in the line, making a dreadful havoc. At last Moray fell, and his division was entirely routed. The English then attacked the main centre of the Scots, where David commanded in person: and as it also was drawn up in the same broken and enclosed ground, the various leaders and their vassals were separated, and

1 Winton, vol. ii. pp. 261, 262.
2 Ibid., book viii. chap. xl. vol. ii. p. 262. Fordun a Goodal, vol. ii. p. 342.

fought at a serious disadvantage.[1] Their flank, too, was exposed to the discharge of a body of ten thousand English bowmen; and, as the distance diminished, the arrows, flying with a truer aim and more fatal strength, told fearfully against the Scots. Yet the battle raged for three hours with great slaughter;[2] and the young king, although he had evinced little military judgment in the disposition of his army, fought with obstinate and hereditary valour. He was defended by a circle of his nobility, who fell fast around him. The Constable David de la Haye, Keith the Marshal, Chartres the High Chancellor, and Peebles the Lord Chamberlain, with the Earls of Moray and Strathern, and thirty barons belonging to the principal families in Scotland, were slain. The king himself, although grievously wounded by two arrows, one of which pierced deep, and could not be extracted without great agony, long continued to resist and encourage the few that were left around him. An English knight, named Copland, at last broke in upon him, and after a hard struggle, in which two of his teeth were knocked out by the king's dagger,[3] succeeded in overpowering and disarming him.

On the capture of the king, the High Steward and the Earl of March, whose division had not suffered so severely, judging probably that any attempt to restore the day would be hopeless, drew off their troops, and escaped from the field;[4] for the English were fortunately too much occupied in plunder and making prisoners, to engage in a pursuit which might have been so fatal. Amongst the prisoners, besides the king, were the Knight of Liddesdale, the Earls of Fife, Menteith, Sutherland, and Wigton, and fifty other barons and knights. It is not too high a computation if we estimate the loss of the Scots in this fatal battle at fifteen thousand men.[5] That of the English was exceedingly small, if we consider how long the conflict lasted. Froissart has asserted that the English Queen, Philippa, was in the field, and harangued the troops, mounted on a white charger. The story is contradicted by all the contemporary historians, both English and Scottish.

A defeat so calamitous had not been sustained by Scotland since the days of Edward the First. Their best officers were slain or taken, and their king a captive. David, with the rest of the prisoners, was, after a short time, conveyed to London, and led in great state to the Tower, amid a guard of twenty thousand men-at-arms. The captive prince was mounted on a tall black courser, so that he could be seen by the whole people; and the mayor and aldermen, with the various crafts of the city, preceded by their officers, and clothed in their appropriate dresses, attended on the occasion, and increased the effect of the pageant.[6] On being lodged in the tower, however, all expense and splendour were at an end; and Edward, with an ungenerous economy, compelled his royal prisoner to sustain the expense of his establishment,[7] and imposed the same heavy tax upon his brother captives.[8]

Thus was David, after his tedious exile in France, and having enjoyed his kingly power but for six years, compelled to suffer the bitter penalty of his rashness, and condemned to a long captivity in England. The conduct of the Steward, in preferring the dictates of prudence, perhaps of ambition, to the feelings which would have led him to have sacrificed his life in an attempt to rescue the king, cannot be easily exculpated. He and the Earl of March, with the third division of the army under their command, made good their retreat; and their escape was ultimately fortunate for the country. But it excited a feeling of lasting

[1] Winton, vol. ii. p. 263.
[2] Ibid.
[3] Ibid. p. 264. Fordun a Goodal, vol. ii. p. 342.
[4] Fordun a Hearne, p. 1038. See observations on Lord Hailes' account of the battle of Durham, Illustrations, GG. Chronicle of Lanercost, pp. 348, 351.
[5] Knighton, p. 2591. Leland, p. 561, from the Scala Chronicle.
[6] Knighton, p. 2592.
[7] Rotuli Scotiæ, 21 Ed. III. vol. i. pp. 690, 696.
[8] Rotuli Scotiæ, vol. i. pp. 705, 706.

personal resentment in the bosom of the king; it was probably the cause of that determined opposition which he ever afterwards manifested to the Steward; and it is this unforgiving hostility, embittered by the conviction that he owed his eleven years' captivity to the desertion at Durham, which can alone explain those extraordinary intrigues for substituting an English prince upon the throne, in which David, at a subsequent period, basely permitted himself to be involved. Meanwhile, the consequences of the battle of Durham were brilliant to England, but not lasting or important.

Roxburgh castle, the key of the kingdom on the Borders, surrendered to Henry Percy and Ralph Neville, and the English overran the districts of Tweeddale, the Merse, Ettrick, Annandale, and Galloway.[1] Availing themselves of the panic and confusion which ensued upon the captivity of the king, they pushed forward into Lothian, and boasted that the marches of the kingdom were from Coldbrandspath to Soutra, and from thence to Carlops and Crosscryne.[2]

Baliol, who had acted a principal part in these invasions, now believed that the entire subjugation of Scotland, so long delayed, was at length to be accomplished, and the sceptre to be for ever wrested from the line of Bruce. He took up his residence at the castle of Caerlaverock, on the shores of the Solway,[3] and having collected a strong force of the savage freebooters of Galloway, was joined by Percy and Neville, with a large body of men-at-arms and mounted archers. At the head of this army he overran the Lothians, scoured the country as far as Glasgow, wasted Cunningham and Niddesdale, and rendered himself universally odious by the ferocity which marked his progress.

At this time, Lionel, duke of Ulster, the son of Edward the Third, became engaged in a mysterious transaction relative to the affairs in Scotland, upon which, unfortunately, no contemporary documents throw any satisfactory light. By an agreement entered into between this English prince and the Lords Henry Percy and Ralph Neville, these barons undertook to assist Baliol with a certain force of men-at-arms. Only the name of the treaty remains;[4] but if a conjecture may be hazarded on so dark a subject, it seems probable that the ambition of Lionel began already to aspire to the crown of Scotland. Baliol was childless; and the English prince may have proffered him his assistance under some implied condition that he should adopt him as his successor. We know for certain, that on Baliol being for ever expelled from Scotland, Lionel engaged in the same political intrigue with David the Second. But, although the precise nature of this transaction is not easily discoverable, it soon became apparent that the English king had no serious design of assisting Baliol in his recovery of the crown. At this conjuncture, the nobles who had escaped from Durham conferred the guardianship of the kingdom upon the High Steward;[5] and whatever imputations his conduct at Durham might have cast upon his personal ambition, it is certain that, as the enemy of the ambitious designs of England, and the strenuous asserter of the liberty of his country, the grandson of Bruce did not shew himself unworthy of his high descent. During a season of unequalled panic and confusion, he maintained the authority of the laws; the command of the castles and the government of the counties were intrusted to men of tried fidelity; and to procure a breathing time, negotiations were set on foot for a truce.

1 Winton, vol. ii. p. 265. Scala Chron. quoted in Leland's Collection, vol. i. p. 562.
2 Fordun a Goodal, vol. ii. p. 346.
3 Knighton, p. 2592.
4 Ayloffe's Ancient Charters, p. 299. "Indentura tractatus inter Leonellum filium Edwardi tertii primogenitum, Comitem de Ulster, ex una parte, et Monsieur Henry Percy et Ranf. Neville, ex altera parte, per quam ipsi Henricus et Radulphus conveniunt se servituros in Scotia pro auxilio prestando Edwardo de Baliol Regi Scotiæ, cum 360 soldariis." 12 Ed. III.
5 Fordun a Hearne, p. 1039.

CHAPTER VI.

DAVID THE SECOND.

1346—1370.

UPON the part of England, the policy of Edward the Third towards Scotland was different from that of his predecessor. There was now no talk of conferring the crown upon Baliol. The persuasion in England seems to have been that the battle of Durham, and the acquisition of the Border provinces, had decided its fate as a conquered country. A conference upon the subject was appointed to be held at Westminster, to which were summoned the prelates and barons of the northern provinces; an English justiciary was appointed for the new kingdom; and the Barons Lucy, Dacre, and Umfraville were directed to accept the fealty of a people whom, with premature triumph, they believed ready to submit to the yoke of England.[1]

Whilst such was the course of events in Scotland, the English king endeavoured to strike a panic into the few barons who remained to defend their country, by the trial of the Earls of Menteith and Fife, made prisoners at the battle of Durham. Both were found guilty of treason, on the ground of their having risen in arms against their liege lord, Edward the Third. Menteith was executed, and his quarters, in the savage spirit of the times, parcelled over the kingdom.[2] The Earl of Fife, after condemnation, had his life spared, from his relationship to Edward the First. These trials were followed by the seizure of all ecclesiastical lands belonging to Churchmen who were unfavourably disposed to England, by the resumption into the hands of the crown of all the estates in that country which had been given to English subjects, and by the imposition of additional duties on the commodities exported from Berwick. Edward's object in all this was, in the impoverished state of his exchequer, to collect funds for payment of the army which it was intended to lead against Scotland. But, fortunately for that country, a new war proved, at this conjuncture, highly unpopular amongst the English barons.[3] Their sovereign, notwithstanding all his efforts, was distressed for money, and engrossed with his ambitious schemes in France. It was at this time, when all looked so dark and hopeless, that William, lord Douglas, nephew of the Good Sir James, who had been bred to arms in the wars of France, returned to Scotland. In him the Steward soon found an able assistant. Possessing the military talents which seem to have been then hereditary in the family, he soon expelled the English from Douglasdale, took possession of Ettrick Forest, and, raising the men of Teviotdale, cleared that district from the invaders.[4]

Edward's desire of recruiting his coffers, by the high ransom which he knew must be paid for the Scottish king, and the many noble prisoners taken at Durham, induced him to postpone his projected invasion of Scotland,[5] and to enter into negotiations, which concluded in a truce.[6] This cessation of hostilities continued, by means of successive prolongations, for six years. But the liberty of the king was a matter of more difficult arrangement. After many conferences, which were protracted from year to year, the conditions demanded by Edward were

[1] Rotuli Scotiæ, 10th Dec. 20 Ed. III. vol. i. p. 679. Ibid. vol. i. p. 684, 21 Ed. III., 14th Feb. 1346. Ibid. vol. i. p. 687.

[2] Rotuli Scotiæ, vol. i. p. 689, 6th March 1346-7; Ayloffe, p. 203.

[3] Rotuli Scotiæ, vol. i. p. 687.

[4] Winton, vol. ii. pp. 269, 270.

[5] Rymer's Fœdera, vol. v. pp. 646, 647.

[6] Rotuli Scotiæ, 15th April, 21 Edward III., p. 694.

refused; and David revisited his dominions only upon his parole, having left seven youths, of the noblest families in the country, as hostages for his return.[1]

During his captivity, a dreadful visitant had appeared in his dominions, in the shape of a pestilence, more rapidly destructive than any hitherto known in modern times. This scourge had already, for many years, been carrying its ravages through Europe, and it now at last reached Scotland.[2] It is a remarkable fact that when the great European pestilence of the seventh century was at its height, the Picts and Scots of Britain were the only nations who did not suffer from its ravages. But the exemption was now at an end; and, owing to whatever causes, the calamity fell with as deadly force on Scotland as on any other part of Europe.[3]

Not long after David's return, a commissioner arrived from Edward, who appears to have been intrusted with a secret and important communication to the King of Scotland and Lord William Douglas.[4] Although, from the brief and unsatisfactory document which notices this transaction, much mystery hangs over it, yet enough is discoverable to throw a deep shade upon the character of the Scottish king. Worn out by the prospect of a long captivity, rendered doubly bitter by his recent taste of the sweets of liberty, he had agreed to sacrifice the independence of his kingdom to his desire of freedom; and there yet remain in the chapter-house at Westminster two instruments, in which David recognises the King of England as his Lord Paramount, and consents to take the oaths of homage.[5]

When the country was thus betrayed by its king, we can scarcely wonder that the fidelity of some of the nobles began to waver. Many of the inferior barons and prisoners who were taken at the battle of Durham by this time had paid their ransom and returned to Scotland, where they joined the Steward and his friends in their opposition to Edward. But the prisoners of highest rank and importance were kept in durance, and amongst these the Knight of Liddesdale. This leader, deservedly illustrious by his military talents and success, but cruel, selfish, and ambitious, was a second time seduced from his allegiance, and agreed to purchase his liberty, at the expense of becoming a retainer of Edward. He consented to allow the English to pass unmolested through his lands, and neither openly nor secretly to give assistance to his own country, or to any other nation, against the King of England; from whom, in return for this desertion, he received a grant of the territory of Liddesdale, besides other lands in the interior of Annandale.[6] There seems to be strong presumptive ground to conclude, that the secret intercourse, lately carried on with England, related to these base transactions, and that David had expected to procure the consent of his people to his humiliating acknowledgment of fealty to Edward. But the nation would not listen to the proposal for a moment. They longed, indeed, for the presence of their king, and were willing to make every sacrifice for the payment of his ransom; but they declared, with one voice, that no consideration whatever should induce them to renounce their independence, and David was reluctantly compelled to return to his captivity in England.[7]

The Scottish king and the Knight of Liddesdale had expected to find in Lord William Douglas a willing assistant in their secret intrigues and negotiations; but they were disappointed. Douglas proved the steady enemy of England, and aware of the base game which had been played by Liddesdale, he defeated it by breaking into Galloway at the head of a powerful force, and compelling the wavering barons

[1] Rymer, vol. v. pp. 724, 727.
[2] Fordun a Goodal, vol. ii. p. 347.
[3] Macpherson's Notes on Winton, vol. ii. p. 512. Fordun a Hearne, p. 1039.
[4] Rymer's Fœdera, vol. v. pp. 737, 738.
[5] Ayloffe's Calendars of Charters, p. 299.
[6] Rymer's Fœdera, vol. v. p. 739. Rotuli Scotiæ, 18th July, 26 Ed. III., vol. i. p. 753.
[7] Knighton, p. 2603.

of that wild and unsettled district to renounce the English alliance, and to swear fealty to the Scottish king.[1] At the same time, Roger Kirkpatrick wrested from the English the important castles of Caerlaverock and Dalswinton, and preserved in its allegiance the territory of Niddesdale; whilst the regent of the kingdom, assisted by his son, afterwards king, collected an army, and making his head-quarters in Annandale, where disaffection had chiefly spread, contrived to keep that district in tranquillity. The intrigues of the Knight of Liddesdale were thus entirely defeated. He had hoped to make Annandale the central point from which he was to commence his attack, and to reduce the country under his new master Edward; but on his return from captivity, he found his treachery discovered, and his schemes entirely defeated.

Since the death of the Good Sir James, the Douglases had looked to the Knight of Liddesdale as their head, and the chief power of that family had centred in this baron. But the murder of Ramsay, his loose and fierce habits, and the stain thrown upon him by consenting to become the vassal of England, all contributed to render him odious to his countrymen, and to raise, in bright opposition to his, the character of William, earl of Douglas, his near kinsman. This seems to have excited a deadly enmity between them, and other circumstances contributed to increase the feeling. The Earl of Douglas had expelled the English from Liddesdale and Annandale, and was in possession of the large feudal estates of the family. On the other hand, the Knight of Liddesdale, during his treasonable intercourse with England, obtained a grant of Hermitage castle and the whole of Liddesdale from Edward; nor was he of a temper to consent tamely to their occupation. These causes, increased, it is said, by a jealousy on the part of the earl, who suspected his countess of a partiality for his rival, led to an atrocious murder. As Liddesdale was hunting in Ettrick Forest, he was beset and cruelly slain by his kinsman, at a spot called Galford.[2] The body was carried to Lindin Kirk, a chapel in the Forest, not far from Selkirk, where it lay for some time. It was then transported to Melrose, and buried in that ancient abbey.[3] The deed was a dark and atrocious one, and conveys a melancholy picture of the fierce and lawless state of Scotland. But Liddesdale met with little sympathy: to gratify his own private revenge, he had been guilty of repeated murders; and his late treaty with Edward had cancelled all his former services to his country.

Since the commencement of his captivity, David had now made three unsuccessful attempts to negotiate for his liberty;[4] but many circumstances stood between him and freedom. The English king continued to confer on Baliol, who lived under his protection, the style of King of Scotland, and refused to David his royal titles;[5] and although it was evident that Edward's real intentions were to subdue Scotland for himself, while this nominal monarch was merely employed as a tool to be thrown aside at pleasure, yet so long as his avowed purpose was the restoration of Baliol, there was a consistency in keeping his rival in durance. On the other hand, whatever disposition there might be on the part of the Scots to shut their eyes to the failings of the son of Bruce, his character had sunk in their estimation, and he had deservedly become an object of suspicion and distrust. The brilliant and commanding talents of Edward the Third had acquired a strong influence over his mind; he had become attached to the country and manners of his enemies, and, in the absence of his queen, had formed

[1] Fordun a Goodal, vol. ii. p. 356.

[2] Fordun a Hearne, p. 1041.

[3] Hume's Douglas and Angus, vol. i. p. 143. Hume has quoted a single stanza of an old ballad, made on this mournful occasion.

"The Countess of Douglas out of her bower
And loudly there did she call, [she came,
It is for the Lord of Liddesdale
That I let the tears down fall."

[4] In 1348, 1350, and 1353.

[5] Rymer, vol. v. pp. 788, 791.

an unworthy connexion with a lady of the name of Mortimer. The return, therefore, of David was an event rather to be deprecated than desired by the country. The Steward, with the barons of his party, dreaded not only the loss of his own personal consequence, and the establishment on the throne of a sovereign whom he knew to be his enemy; but, what was still more intolerable, they saw in it the establishment of the superiority of England, and the vassalage of their own land. It is to this cause, assuredly, that we are to attribute the coldness and reluctance with which the negotiations proceeded. They were, however, at length concluded at Newcastle, in the month of July 1354, by a treaty, in which David's ransom was fixed at ninety thousand marks,—an enormous sum for that period; and it was stipulated that this money was to be paid in nine years, at the rate of ten thousand marks annually.[1]

The commissioners who conducted the negotiations for this treaty were the Bishops of St Andrews and Brechin, along with Patrick Dunbar, earl of March, one of the few Scottish earls who had escaped captivity at the battle of Durham; but, previous to its ratification, Eugene de Garencieres, who had already served in the Scottish wars, arrived upon a mission from the court of France, at the head of a body of sixty knights, and bringing with him a seasonable subsidy of French gold, in the shape of forty thousand *moutons d'or*, which were distributed by him amongst the Scottish nobles.[2]

The coming of this ambassador produced a great change. The treaty of ransom had been especially unpopular with the patriotic party in Scotland, as the sum stipulated was far too heavy a drain upon the country. It had not yet received the consent of the regent, or the final ratification of the states of the realm; and Garencieres found little difficulty in persuading them to give up all thoughts of peace, and to seize the earliest opportunity of recommencing hostilities. For the present, therefore, the King of Scotland, who had seen himself on the point of regaining his liberty, was remanded to the Tower; and an invasion of England resolved on as soon as the truce expired.[3] Yet the English themselves were the first aggressors in a Border inroad, in which they laid waste the extensive possessions of the Earl of March.[4]

To revenge the insult, this nobleman, along with the Earl of Douglas, and a large body of men-at-arms, who were reinforced by the French knights and soldiers under the command of Garencieres, marched towards the Borders, and occupied a strong pass near Nesbit Moor; where the hilly country, and the tortuous nature of the road, allowed them to form an ambuscade. They then despatched Sir William Ramsay of Dalhousie, having four hundred men under his banner, to cross the Tweed, and plunder the village of Norham and the adjacent country. It was the constant policy of Edward to keep a strong garrison in Norham castle. Its vicinity to the Borders made it one of the keys to England on the East Marches; it was exposed to perpetual attacks, and, in consequence, became the general rendezvous of the bravest and most stirring spirits in the English service. Ramsay executed his task of destruction with unsparing fidelity; and, in his retreat, took care to drive his booty past under the walls of the castle. The insult, as was expected, brought out the whole English garrison upon them, led by the constable, Sir Thomas Grey and Sir James Dacre. After a short resistance, Ramsay fled to where the Scottish army lay concealed; and the English pursuing, suddenly found themselves, on turning round the shoulder of a mountain, in presence of the well-known banners of Douglas. Retreat was now impossible and resistance almost equally fruitless, for Douglas greatly outnumbered the English; but it was the age of

[1] Rymer's Fœdera, vol. v. p. 791.
[2] Winton, vol. ii. p. 271. Macpherson's Notes, p. 512. Leland's Coll. vol. i. p. 564.
[3] Rotuli Scotiæ, vol. i. p. 779.
[4] Fordun a Hearne, p. 1043.

chivalry, and the Constable of Norham was a true disciple of the order.[1] Forming his little band around him, he called for his son, and made him a knight on the field; he then commanded his men-at-arms to dismount, and fight on foot with the archers; after which he and his brother knights attacked the Scots with the greatest courage, and performed what, in the language of those times, were denominated "many fair passes of arms." In the end, however, he was compelled to surrender to Douglas, along with his son Dacre and the whole garrison. After the fight there occurred a fierce trait of feudal vengeance. One of the French knights purchased from the Scots some of their prisoners, and, leading them to a remote spot on the mountain, murdered them in cold blood, declaring that he did this to revenge the death of his father, who had been slain by the English in their wars in France.[2]

The city of Berwick, at this time in the hands of Edward, and which had long been the emporium of the commerce of both kingdoms, became the next object of attack. It was too well fortified, however, to hold out the least chance of success to an open assault; but the Earls of Angus and March having collected a strong naval force, and favoured by a dark November night, ran their ships up the river as far as the tide permitted, where, disembarking, they proceeded silently to the foot of the walls, and, in the first dawn of the morning, stormed the town by escalade, slew the captain, Sir Alexander Ogle, with some English knights, and drove before them multitudes of the defenceless citizens, who, on the first alarm, had fled from their beds and escaped, half naked and in crowds, over the ramparts.[3]

The city, of which the Scots were thus masters, communicated with the castle of Berwick through a strong fortalice, called the Douglas Tower; and, by a desperate sally from this outwork, Copland, the governor of Northumberland, attempted to wrest their conquest from the Scots; but he was repulsed, and with such gallantry, that the tower itself was carried and garrisoned. Flushed with their success, and enriched with an immense booty, the Scots next attacked the castle; its strength, however, resisted all their efforts; and the Steward arriving to inspect his conquest, found that it would be impossible to keep the town if, as was to be anticipated, the garrison should be supported by an English army. In such circumstances, to have dismantled the fortifications, and abandoned the city, would have been the most politic course; but, unwilling at once to renounce so high a prize, he left in Berwick what troops he could spare, and retired. Little time, indeed, was given for the execution of any plan; for Edward, hearing of the successes of the Scots, hastened from Calais, stayed only three days in his capital, and, attended by those veteran and experienced officers who had so well served him in his French wars, laid siege to Berwick at the head of a great army.[4] At the same time, the English fleet entered the river, and the town was strictly invested on all sides. Edward and his guards immediately took possession of the castle; and while Sir Walter Manny, a name which the siege of Calais has made famous, began a mine below the walls, the king determined to storm the town over the drawbridge which was thrown from the castle to the Douglas Tower. Against these formidable preparations the small force left by the Steward could not possibly contend; and the garrison having capitulated, with safety of life and limb, abandoned the town to the enemy, and returned to Scotland.[5]

That fated country now lay open to an army of eighty thousand men, com-

[1] Winton, vol. ii. p. 276.

[2] Fordun a Goodal, vol. ii. p. 350. Fordun a Hearne, pp. 1043, 1044.

[3] Fordun a Hearne, pp. 1044, 1045. Scala Chron. in Leland's Coll. p. 565.

[4] Rymer's Fœdera, vol. v. p. 828. Robert of Avesbury, p. 210. Fordun a Hearne, p. 1046.

[5] Dr Lingard, vol. iv. p. 97, says, "Berwick was recovered by the sole terror of his approach." This expression seems to me unsupported either by the English or Scottish historians. See Robert of Avesbury, p. 228.

manded by the victor of Cressy. The English fleet was ordered, without delay, to sail round the coast, and await him in the Forth; and the king, breathing threats and vengeance against his enemies, and irritated that his career in France was perpetually checked by his dangers at home, invaded Scotland, with a determination to subdue or utterly destroy the country.[1] At first everything seemed to favour his project. Fatal and virulent dissensions again broke out amongst the Scottish nobles, excited, no doubt, by the terror of confiscation and imprisonment, to which an unsuccessful resistance to England necessarily subjected them; and in addition to this, an extraordinary event, which seemed ominous of success, occurred upon the arrival of Edward and his army at Roxburgh. It had undoubtedly been long in preparation; and one branch of those secret negotiations which led to it is probably to be seen in the mysterious treaty, already noticed, between Prince Lionel and Henry Percy, for the assistance of Edward Baliol. That weak and unfortunate person now presented himself before Edward; and, with all the feudal ceremonies becoming so grave a transaction, for ever resigned his kingdom of Scotland into the hands of the English king, divesting himself of his regalia, and laying his crown at the feet of the monarch.[2] His declared motives for this pusillanimous conduct are enumerated in the various deeds and instruments which passed upon the occasion; but the real causes of the transaction are not difficult to be discovered. It needed little penetration to discern that the retention of the royal name and title by Baliol stood in the way of the pacification of Scotland and the negotiations for the ransom of the king, and gave to the regent and the barons of his party a power of working upon the popular feelings of the nation; while the total resignation of the kingdom into the hands of Edward afforded this prince some appearance of justice in his present war; and, in case of a failure, a fairer prospect of concluding a peace. Baliol himself was a mere dependant of Edward's: for the last sixteen years he had been supported by the money, and had lived under the protection, of England;[3] he was now an old man; and he could not entertain the slightest hope of subduing the country, which he still affected to consider as his own. In return for this surrender of his crown, Edward now agreed to settle upon him an annuity of two thousand pounds; and, when commanded to strip himself of his unsubstantial honours, he at once obeyed his master, and sunk into the rank of a private baron. During one part of his life, when he fought at Dupplin, and took part with the disinherited barons, he had shewn a considerable talent for war; but this last base act proved that he was unworthy of the throne, from which he had almost expelled the descendants of Bruce. He died, not many years after this event, in obscurity, and fortunately for Scotland, without children.

Meanwhile Edward, who had thus procured the donation of the kingdom from Baliol, and extorted the acknowledgment of homage from David, persuading himself that he had a just quarrel, hastened his warlike preparations, and determined to invade the country with a force against which all resistance would be unavailing. The present leaders of the Scots had not forgotten the lessons taught them by the rashness of David; and they wisely resolved to meet this invasion in the manner pointed out by the wisdom of Wallace, and the dying directions of Bruce.

Orders were accordingly issued for the inhabitants to drive away their flocks and herds, and to convey all their valuable property beyond the Firth of Forth, into the castles, caverns, and strongholds frequently used for such purposes; to destroy and burn the hay and forage which was not readily transportable; and to retreat

1 Fordun a Goodal, p. 354.

2 The English historian Knighton asserts that Baliol delivered all right which he possessed in the crown of Scotland to Lionel, the king's son. Knighton, p. 2611. Rymer, vol. v. pp. 832, 843, inclusive.

3 Rotuli Scotiæ, vol. i. pp. 544, 546.

themselves, fully armed and equipped, and ready for immediate action, into the various well-known fastnesses, wooded valleys, and mountain-passes, from which they could watch the operations of the invading army.[1] It was indispensable, however, to procure time to carry these measures into execution; and, for this purpose, the Earl of Douglas sought the army of Edward, which he found on its march from Roxburgh, and making a splendid appearance. It was led by the king in person. Before him, pre-eminently amid other banners and pennons, was borne the royal standard of Scotland.[2] The king's sons, John and Lionel, Dukes of Richmond and Ulster, accompanied their father; and on the arrival of Douglas, when the army halted and encamped, it covered an extent of twenty leagues.[3] Douglas fortunately succeeded in procuring a ten-days' truce; during which time he pretended to communicate with the Steward and the nobles; and amused Edward with hopes that his title to the throne would be universally recognised. The messages, however, which passed between Douglas and his friends related to designs the very opposite of submission; and when the truce was almost expired, the Scottish earl, who had completely gained his object, withdrew, and joined his countrymen.

Enraged at being the dupe of so able a negotiator, Edward, in extreme fury, advanced through Berwickshire into Lothian; and, with a cruel and short-sighted policy, gave orders for the total devastation of the country.[4] Every town, village, or hamlet, which lay within the reach of his soldiers, was given to the flames; and the march of this prince, who has commonly been reputed the model of a generous and chivalrous conqueror, was to be traced by the thick clouds of smoke which hung over his army, and the black desert which he left behind him. In this indiscriminate vengeance, even the churches and religious houses were sacrilegiously plundered and cast down. A noble abbey church at Haddington, whose choir, lighted by the long-shaped lantern windows, of graceful proportion, went by the name of the Lamp of Lothians, was entirely destroyed; and the adjoining monastery of the Minorites, with the town itself, razed to the ground.[5]

The severity which Edward had exercised upon his march began now to recoil upon himself; no forage was to be had for the horses, and the moment a foraging party attempted to leave the main army it was cut off by the Scots, who rushed from their concealment in the mountains and woods, and gave no quarter. It was now the month of January, and the winter storms increased the distress of the troops. Bread began to fail; for fifteen days the soldiers had drunk nothing but water;[6] and, instead of being able to supply their wants by plunder, the English found nothing but empty stalls and deserted houses; not a hoof was to be seen, so well had the orders of Douglas been obeyed. It may be imagined how dreadfully these privations were felt by an army which included three thousand men-at-arms, splendidly accoutred, both man and horse, besides ten thousand light-armed horse.[7] The king, who saw famine nearer every hour, now looked impatiently for his fleet. It was known that it had sailed from Berwick, but no further intelligence had arrived; and, after an anxious halt of ten days at Haddington, Edward pushed on to Edinburgh with the hope of meeting his victualling

[1] Robert de Avesbury, p. 236.
[2] Ibid.
[3] Ibid. Leland's Coll. vol. i. p. 566.
[4] "Velut ursa raptis fœtibus in saltu sœviens."—Fordun a Hearne, p. 1047.

[5] Fordun a Hearne, p. 1048. Fordun a Goodal, vol. ii. p. 354.
[6] Knighton, p. 2611.
[7] According to Robert of Avesbury, pp. 235, 236, the numbers of Edward's army were as follows:—

3,000 homines armati, or men-at-arms, that is, fully armed in steel, both man and horse;
10,000 light-armed horse;
10,000 mounted archers;
10,000 on foot;

33,000.

The Scottish historians make the numbers eighty thousand.

ships at Leith. Instead, however, of the long-expected supplies, certain news arrived that the whole of the English fleet, in its attempt to make the Firth, had been dispersed and destroyed;[1] so that it was judged absolutely necessary to retreat as speedily as possible, in order to save the army from absolute destruction. This order for retreat became, as was to be expected, the signal for discipline to cease and disorder to begin. Every wood or mountain pass swarmed with Scottish soldiers, who harassed the rear with perpetual attacks; and, in passing through the Forest of Melrose, the king himself was nearly taken or slain in an ambuscade which had been laid for him.[2] He at length, however, reached Carlisle in safety, dismissed his barons, and returned to his capital; from which he issued a pompous proclamation, declaring it to be his will to preserve untouched and inviolate the ancient laws of Scotland: a singular declaration with regard to a country in which he could scarcely call a single foot of ground his own.[3] So cruel in its execution, and so inglorious in its result, was an expedition in which Edward, at the head of an army far greater than that which fought at Cressy, had, for the fifth time, invaded Scotland, declaring it to be his determined resolution to reduce it for ever under his dominion. The expedition of Edward, from the season in which it took place, and the wasting of the country by fire, was long afterwards remembered by the name of the "Burnt Candlemas."

So long as Scotland remained unconquered, it was evident that the English monarch must be content to have his ambitious efforts against France perpetually crippled and impeded. He felt, accordingly, the paramount importance of concluding the war in that country; and seems to have imagined that, by an overwhelming invasion, he could at once effect this object, and be enabled to concentrate his whole force against Philip. But the result convinced him that the Scots were further than ever from being subdued; and that policy and intrigue were at the present conjuncture more likely to be successful. He willingly, therefore, consented to a truce, and resumed the negotiations for the ransom of the king, and the conclusion of a lasting peace between the two countries.[4]

The Earl of Douglas, to whose exertions the success of the last campaign was mainly to be ascribed, seems to have been one of those restless and ardent spirits who languish unless in actual service; and, accordingly, instead of employing the breathing time which was afforded him in healing the wounds and recruiting the exhausted strength of his country, he concluded a Border truce with the English warden,[5] and, accompanied by a numerous body of knights and squires, passed over to France, and fought in the memorable battle of Poictiers. Douglas was received with high honour, and knighted on the field by the King of France. Amid the carnage of that dreadful day he had the good fortune to escape death or captivity; and, cooled in his passion for foreign distinction, returned to Scotland,[6] where he resumed, along with the Stewards and the rest of the nobility, his more useful labours for his country.

Hitherto the negotiations for the ransom and delivery of David had been entirely abortive: they were now renewed, and proved successful. After some preliminary conferences at London, between the council of the King of England and the Scottish commissioners, the final settlement of the treaty was appointed to take place at Berwick-upon-Tweed.[7] In the meantime

[1] Fordun a Hearne, p. 1048. Robert of Avesbury, p. 237.

[2] Knighton, p. 2611. Fordun a Hearne, p. 1048.

[3] Rotuli Scotiæ, p. 790.

[4] Rotuli Scotiæ, p. 791.

[5] Rymer, vol. v. p. 809.

[6] Fordun a Hearne, p. 1052.

[7] Rymer, vol. v. p. 831. These conferences for the ransom and liberation of David extend through a period of ten years. They began in January 1347-8, and were resumed almost every year without success till the final treaty in 1357. There are only three treaties noticed by our historians; but the reader, by referring to the following pages of the Rotuli Scotiæ, vol. i., will find all the attempts at negotiation

a parliament was held by the Steward, as Governor of Scotland, at Edinburgh on the 26th of September. Its constitution and proceedings, as shewn in authentic instruments preserved in the Fœdera, are important. It appears that, before the meeting of the three estates, the prelates of Scotland assembled their chapters, and appointed delegates to represent them in parliament, with full powers to deliberate upon the ransom of the king, and to bind them as fully as if they themselves had attended.[1] Afterwards, however, it was judged more expedient that the prelates should attend in person; and accordingly we find that, on the 26th of September, all the bishops of Scotland assembled at Edinburgh, and there met in parliament the lords and barons of the realm, and the representatives of the royal burghs. Each of the estates then proceeded to elect certain commissioners of their own body to appear at Berwick and deliberate with the delegates of the King of England upon the ransom and liberation of their sovereign. For this purpose the clergy chose the Bishops of St Andrews, Caithness, and Brechin.[2] To these ecclesiastical delegates were added the Earls of March, Angus, and Sutherland, Sir Thomas de Moravia, Sir William Livingston, and Sir Robert Erskine, appointed by the regent and the barons; and, lastly, the seventeen royal burghs chose eleven delegates of their own number, and intrusted them with the most ample powers.[3] Such elections having taken place, the commissioners of both countries repaired to Berwick-upon-Tweed on the day appointed with great state. Upon the part of England there came the Primate of England, with the Bishops of Durham and Carlisle, and the Lords Percy, Neville, Scrope, and Musgrave. The Scottish delegates brought with them a numerous suite of attendants. The train of the Bishop of St Andrews alone consisted of thirty knights, with their squires; that of the other bishops and barons was scarcely less splendid;[4] and the arrival of the captive monarch himself, escorted by the whole military army of Northumberland, gave additional solemnity to the scene of negotiation.[5]

The result of these conferences at Berwick was the restoration of David to his kingdom, after a captivity of eleven years. The ransom finally agreed on was a hundred thousand pounds, equivalent to the sum of twelve hundred thousand pounds of modern money, to be paid by annual instalments of four thousand pounds; and, in security of this, twenty Scottish youths, heirs of the first families in the country, were delivered as hostages into the hands of the English monarch.[6] It was stipulated besides that, from the principal nobles of the kingdom, these should resort by turns to England, there to remain until the whole ransom was discharged; and, in the event of failure at any of the terms, the King of Scotland became bound to return to his captivity. It was also declared that, until payment of the ransom, there should be a ten-years' truce between the kingdoms, during which free commercial intercourse by land and by sea was to take place between both countries; no hostile attempt of any nature was to be made against the possessions of either, and no subject of the one to be received into the allegiance of the other: a condition which Edward, when it suited his own interests, made no scruple of infringing.[7] The stipula-

minutely described in the original instruments, pp. 709, 721, 722, 727, 740, 741, 745, 759, 766, 768, 773, 791, and 809, 811.

[1] Rymer's Fœdera, vol. vi. pp. 39, 40.

[2] Ibid. vol. vi. pp. 42, 43.

[3] Ibid. vol. vi. pp. 44, 45.

[4] Rymer's Fœdera, vol. vi. pp. 32, 33.

[5] Rotuli Scotiæ, vol. i. p. 810.

[6] Rymer, vol. vi. pp. 47, 48. The sum of the ransom originally agreed on was 100,000 marks. Rotuli Scotiæ, vol. i. p. 812; but this was altered by subsequent treaties. Macpherson's Notes to Winton, vol. ii. p. 512.

[7] Rotuli Scotiæ, 3d March 1362-3. 37 Ed. III. vol. i. p. 871. Bower, in his additions to Fordun, has asserted that David agreed to dismantle certain castles in Niddesdale, which greatly annoyed the English; and that, on his return to his dominions, he accordingly destroyed the castles of Dalswinton, Dumfries, Morton, and Durisdeer, with nine others. No such stipulation is to be found in the treaty, (Rymer, vol. vi. p. 46,) and Fordun himself makes no mention of it.

tions of this famous treaty were uncommonly favourable to England, and reflect little credit on the diplomatic talents of the Scottish commissioners. The sum agreed on was oppressively high; and it fell upon the country at a period when it was in a low and exhausted condition.

But the ransom itself was not the only drain on the resources of the country. The numerous unsuccessful attempts at negotiation which preceded this final settlement had occasioned many journeys of the Scottish nobility to England, and such expeditions brought along with them a heavy expenditure. Besides this, the ransom of the Scottish prisoners, taken in the battle of Durham; their support, and that of the king their master, for many years in England; with the expense occasioned by the residence of three great nobles, and twenty young men of the first rank, for so long a time in another country, occasioned an excessive expenditure. The possession, too, of the hostages by England tended greatly to cripple the power, and neutralise the independent efforts of her enemy; and the frequent intercourse between the nobles of the poorer and those of the richer country gave Edward opportunities of intrigue, which he by no means neglected.

Meanwhile, the representatives of the nobility, the bishops, and the burghs of Scotland ratified the treaty;[1] and David, released from captivity, returned to Scotland, to receive the enthusiastic welcome of his people. But it was soon discovered that the character and manners of the king had been deteriorated by his residence in England. His first public act was to summon a parliament, to meet at Scone, regarding which there is a little anecdote preserved by a contemporary historian, which throws a strong and painful light upon his harsh disposition. In the progress to the hall where the estates were to meet, crowds of his people, who had not beheld their king for eleven years, pressed upon him, with rude, but flattering ardour. The monarch, whose march was thus affectionately interrupted, became incensed, instead of being gratified; and, wresting a mace from one of his attendants, threatened to beat to the ground any who dared to annoy him: a churlish action, which shews how little cordiality could subsist between such a prince and his subjects, and prepares us for the unhappy transactions that afterwards made so deadly a breach between him and his people.[2]

The proceedings of the parliament itself may be imperfectly gathered from a fragment which has been preserved; but the record of the names of the clergy, nobility, and other members who were present, which might have thrown some light upon the state of parties at the return of the king, is unfortunately lost. The enormous sum of the ransom, and the mode in which the annual instalment should be collected, appears to have been the first subject which occupied the attention of the great council. The provisions upon this were important, and illustrated the state of commerce in the country. It was resolved that all the wool and wool-fells of the kingdom should be given to the king, at the rate of four marks for the sack of wool, and the same sum for every parcel of two hundred fleeces; and it is probable that the king afterwards exported these sacks and fleeces, at a high profit, to foreign parts, or disposed of them to foreign merchants who resorted to Scotland.[3] In the next place, a minute and accurate account of the rents and produce of the lands of the realm, and a list of the names of the proprietors, was appointed to be taken by certain sworn commissioners appointed for the purpose. From this account were specially excepted white sheep, domestic horses, oxen, and household furniture; but so minute was the scrutiny, that the names of all mechanics, tradesmen, and artificers were directed to be taken, with the purpose of ascertaining what

[1] Rymer, vol. vi. pp. 52 to 56 inclusive.

[2] Winton, vol. ii. p. 283.

[3] Robertson's Parliamentary Records of Scotland, pp. 96, 97.

tax should be paid on the real value of their property, and what sum each person, of his own free will, might be expected to contribute towards the ransom of the king. Proclamation was directed to be made throughout the kingdom, that, during the term within which such an account was to be taken, no one should sell or export any sheep or lambs. Officers were to be stationed on the marches to prevent such an occurrence; every hoof or fleece which was carried off was to be seized and forfeited to the king; while the sheriffs of the counties, and the barons and gentry, were directed to use their utmost endeavour that none should dare to refuse such taxation, or fraudulently attempt to escape, by transferring themselves from one part of the country to another. If any of the sheriffs, tax-gatherers or their officers, were found guilty of any fraud, or unfaithful conduct; or, if any individuals were discovered concealing their property; all such delinquents were ordered to stand their trial at the next Justice Ayre; which, it was appointed, should be held by the king in person, that the royal presence might insure a more solemn distribution of justice, and strike terror into offenders. A provision was next made that in each county there should be good and sufficient sheriffs, coroners, bailies, and inferior officers; it was ordered that all lands, rents, or customs, belonging originally to the king, should be resumed, to whatever persons they might have been granted, in order that the whole royal lands should continue untouched; and that the kingdom, already burdened by the king's ransom, might be freed from any additional tax for the maintenance of the throne. The king was required to renew that part of his coronation oath by which he had promised that he should not alienate the crown lands, or dispose, without mature advice, of any rents, wards, or escheats belonging to the crown; and there was a prohibition against exporting the sterling money out of the realm, by any person whatever, unless upon the payment to the exchequer of half a mark for each pound.[1]

During the captivity of the sovereign, it appears that they who, at various times, were at the head of affairs had either appropriated to themselves, or made donations to their dependants, of various portions of the crown lands; and it was therefore enacted, that all who had thus rashly and presumptuously entered into possession of any lands or wardships belonging to the crown should, under pain of imprisonment, be compelled to restore them to the king. The next article in the provisions of this parliament is extremely obscure. It was resolved "that all the lands, possessions, and goods of the homicides, after the battle of Durham, who have not yet bound themselves to obey the law of the land, should be placed in the hands of the king, until they come under sufficient security to obey the law; and that all pardons or remissions granted to persons of this description, by the governors of the kingdom, during the absence of the king, should not be ratified, unless at the royal pleasure." And it was also provided that, if any person, after the captivity of the sovereign, had resigned to the regent any tenement which he held of the crown *in capite*, which property had been bestowed upon another who had alienated it in whole or in part without the royal permission, all such tenements should again revert to the crown.

The names of the nobles and barons who sat in this parliament being lost, we can only conjecture that some individuals had absented themselves, from the idea that the disturbances which they had excited during the captivity of the king would be visited with punishment. It is stated in the Scala Chronicle, that soon after the conflict at Durham the private feuds amongst the nobility were carried to a grievous height; and that the kingdom was torn by homicides, rapine, and private war, for which Fordun does not hesitate indirectly to criminate the

[1] Robertson's Parliamentary Records, pp. 93, 97.

Steward.[1] It is certain, at least, from the record of this parliament, that the remissions or pardons granted to these defaulters by the Steward, and those in office under him, were recalled; and that the king resented his conduct, in interfering with the royal prerogative, and bestowing lands held of the crown upon his own creatures and dependants.

For the present, however, there was the appearance of tranquillity. The treaty which had settled the ransom received the approbation of the parliament; and Edward not only gave orders for its strict fulfilment, but sought by every method to ingratiate himself with the prelates and the nobility of Scotland. His object in all this became soon apparent. Aware, from repeated experience, of the difficulty of reducing this country by open force, a deeper policy was adopted. He had already gained an extraordinary influence over the weak character of the king, and had secretly prevailed upon him to acknowledge the feudal superiority of England. David being without children, there existed a jealousy between him and the Steward, who had been nominated next heir to the crown; and we may date from this period the rise of a dark faction, to which the Scottish king meanly lent himself a party, and the object of which was to intrude a son of Edward the Third into the Scottish throne. For some time, however, this conspiracy against the independence of the nation was concealed, so that it is difficult to discover the details or the principal agents; but from the frequent journeys of some of the Scottish prelates and barons to the court of England, from the secret and mysterious instructions under which they acted, and the readiness with which they were welcomed,[2] there arises a strong presumption that this monarch had gained them over to his interest. The Earl of Angus, one of David's hostages, had private meetings with the King of England, and was despatched to Scotland that he might confer with his own sovereign upon matters which shunned the light, and did not appear as usual in the instruments and passports.[3] Within a short period the Scottish queen, a sister of Edward, made two visits to London, for the purpose of treating with her brother on certain matters which are not specified in her safe-conduct. The King of Scotland next sought the English court in his own person; and after his return, the Bishop of St Andrews, the Earl of March, along with the Earl of Douglas, Sir Robert Erskine, and Sir William Livingstone, were repeatedly employed in these secret missions which at this period took place between the two monarchs.[4] These barons generally travelled with a numerous suite of knights or squires;[5] and while their masters were engaged in negotiation, the young knights enjoyed their residence at a court then the most chivalrous in Europe, and were welcome guests in the fetes and amusements which occupied its warlike leisure. Large sums of money were required for such embassies; and the probability is, that they were chiefly defrayed by the English monarch, who looked for a return in the feelings of gratitude and obligation which he thus hoped to create in the breasts of the Scottish nobility. Nor were other methods of conciliation neglected by this politic prince. He encouraged the merchants of Scotland to trade with England by grants of protection and immunity, which formed a striking contrast to the spirit of jealousy and exclusion with which they had lately been treated.[6]

From the moment of David's return, a complete change took place in

[1] Fordun a Hearne, p. 1039. Leland's Coll. vol. i. p. 562.

[2] Rotuli Scotiæ, vol. i. pp. 814, 815, 31 Ed. III. m. 4.

[3] Rotuli Scotiæ, 31 Ed. III. m. 2, 25 Dec. 1357, vol. i. p. 818.

[4] Ibid. 32 Ed. III. pp. 819, 821, 822.

[5] Ibid. 32 Ed. III. p. 821. Willelmus de Levyngeston. "Cum octo Equitibus de Comitiva sua." Sir Robert Erskine, with the same number, p. 822. The Earl of March travels to England, "Cum viginti Equitibus et eorum garcionibus," p. 823.

[6] Rotuli Scotiæ, vol. i. 32 Ed. III. pp. 822, 823.

the commercial policy of England, and the Scottish merchants were welcomed with a liberality which, could we forget its probable object, was as generous as it was beneficial to both countries. At the same time the youth of Scotland were induced to frequent the universities of Oxford and Cambridge, by the ready kindness with which the king gave them letters of protection;[1] and the religious, who wished to make pilgrimages to the most celebrated shrines in England, found none of those impediments to their pious expeditions which had lately existed.

At this moment, when designs existed against the independence of Scotland, so dangerous in their nature, and so artfully pursued, it was unfortunate that a spirit of military adventure carried many of its best soldiers to the continental wars. Sir Thomas Bisset and Sir Walter Moigne, with Norman and Walter Lesley, previous to David's return, had left the country on an expedition to Prussia,[2] in all probability to join the Teutonic knights, who were engaged in a species of crusade against the infidel Prussians.[3] Not long after, Sir William Keith, marshal of Scotland, Sir William Sinclair, lord of Roslin, Sir Alexander de Lindesay, Sir Robert Gifford, and Sir Alexander Montgomery, each with a train of sixty horse, and a strong body of foot soldiers, passed through England to the continent, eager for distinction in foreign wars, with which they had no concern, and foolishly deserting their country when it most required their services.[4] Yet this conduct was more pardonable than that of the Earl of Mar, who entered into the service of England, and with a retinue of twenty-four knights and their squires, passed over to France in company with the English monarch and his army.[5] The example was infectious; and the love of enterprise, the renown of fighting under so illustrious a leader, and the hopes of plunder, induced other soldiers to imitate his example. Edward, therefore, whose attempts to conquer Scotland by force of arms had utterly failed, seemed now to have fallen upon a more fatal and successful mode of attack. Many of the barons were secretly in his interest; some had actually embraced his service; the king himself was wholly at his devotion; the constant intercourse which he had encouraged had softened, as he hoped, and diluted, the bitterness of national animosity; and the possession of his twenty hostages had tied up the hands of the principal barons of the land, who in other circumstances would have been at liberty to have acted strenuously against him. Nothing now remained but to develop the great plan which all this artful preparation was intended to foster and facilitate; but for this matters were not yet considered far enough advanced.

Meanwhile, David anxiously adopted every method to collect the sums necessary for his ransom; nor can we wonder at his activity when we remember that his liberty or his return to the Tower depended on his success. He had already paid the first ten thousand marks;[6] and the Pope, at his earnest request, consented that, for the term of three years, he should levy a tenth of all the ecclesiastical benefices in Scotland, under the express condition that the clergy were, after this, to be exempted from all further contribution. Yet this stipulated immunity was soon forgotten or disregarded by the king; and in addition to the tenth, the lands and temporalities of all ecclesiastics, whether they held of the king or of a subject, were compelled to contribute in the same proportion as the barons and free tenants of the crown,—a measure violently opposed by the Church, and which must have lost to the king much of his popularity with this important body.[7]

[1] Rotuli Scotiæ, 32 Ed. III. vol. i. pp. 822, 825, 828.
[2] Rymer, vol. v. p. 866.
[3] Barnes' Edward III. p. 669.
[4] Rotuli Scotiæ, vol. i. 32 Ed. III. p. 830.
[5] Ibid. 33 Ed. III. p. 842. Rymer, vol. vi. p. 119.
[6] Rotuli Scotiæ, 32 Ed. III. p. 827. 23d June 1358.
[7] Fordun a Hearne, p. 1054.

The period for the payment of the second instalment of the ransom-money to England now rapidly approached. In Scotland, the difficulty of raising money, owing to the exhausted and disorganised state of the kingdom, was excessive; and the king in despair, and compelled by the influence of the party of the Steward, which supported the independence of the country, forgot for a moment the intimate relations which now bound him to Edward, and opened a negotiation with the Regent of France, in which he agreed to renew the war with England, provided that prince and his kingdom would assist him with the money which he now imperiously required. To these demands the French plenipotentiaries replied,[1] that in the present conjunction of affairs, when France was exhausted with war, and the king and many of the highest nobility in captivity, it was impossible to assist her ancient ally so speedily or so effectually as could be desired. They agreed, however, to contribute the sum of fifty thousand marks[2] towards defraying the ransom, under the condition that the Scots should renew the war with England, and that there should be a ratification of the former treaty of alliance between France and Scotland.

These stipulations upon the part of the French were never fulfilled. An army of a hundred thousand men, led by Edward in person, passed over to Calais a few months after the negotiation,[3] and France saw in the ranks of her invaders many of the Scottish barons who had become the tools of England. Amongst those whom the English king had seduced, was Thomas, earl of Angus, one of the hostages for David, a daring adventurer, who had commissioned from the Flemings four ships of war, with which he promised to meet Edward at Calais. But on proeuring his liberty, Angus forgot his engagement; and, remaining in Scotland, acted a principal part in the commotions which then distracted the country.[4] Sir Thomas Bisset, Sir William of Tours, and Sir John Borondon, and probably many other Scottish knights, accompanied Edward,[5] but had little opportunity of signalising themselves; and after an inglorious campaign, hostilities were concluded by the celebrated treaty of Bretigny, in which the two belligerent powers consented to a mutual sacrifice of allies. The French, naturally irritated, agreed to renounce all alliances which they had already formed with Scotland, and engaged, for the time to come, to enter into no treaties with that nation against the realm of England; and England, on her part, was equally accommodating in her renunciation of her Flemish allies.[6] Such conduct upon the part of the French regent must have been highly mortifying to the Steward and his friends, who considered the continuance of a war with England as the only certain pledge for the preservation of the national liberty. On the other hand, the confederacy, which had been gradually gaining ground in favour of England, and now included amongst its supporters the Scottish king himself and many of his nobles, could not fail to be gratified by a result which rendered a complete reconciliation with Edward more likely to occur, and thus paved the way for the nearer development of their secret designs, by which the Steward would ultimately be prevented from ascending the throne.

Whilst such was the course of events in France, Scotland at home presented a scene of complicated distress and suffering. A dreadful inundation laid the whole of the rich country of Lothian under water. The clouds poured down torrents such as had never before been seen by the oldest inhabitants; and the rivers, breaking over their banks with irresistible violence, destroyed ramparts and bridges, tore up the strongest oaks and forest trees by

[1] Traittez entre les Roys de France et les Roys d'Escosse. MS. in Ad. Library, A. 3. 9.

[2] "Cinquante mil marcs d'Esterlins, ou la valleur en or si comme il vault en Angleterre."

[3] Rotuli Scotiæ, 34 Ed. III. m. 4, pp. 840, 847.

[4] Fordun a Goodal, vol. ii. p. 365.

[5] Rotuli Scotiæ, p. 840.

[6] Rymer, Fœdera, vol. vi. p. 192, Art. 31, 32, 33.

the roots, and carried houses, barns, and implements of husbandry, in one undistinguished mass to the sea-shore. The lighter wooden habitations of the working-classes were swept from their foundations; and the castles, churches, and monasteries entirely surrounded by water.[1] At length, it is said, a nun, terror-struck by the anger of the elements, snatched a small image of the Virgin from a shrine in the church of her monastery, and threatened aloud to cast her into the stream, unless she averted the impending calamity. The flood had already touched the threshold of the building, when it was suddenly checked; and Bower assures us that from that moment the obedient waters returned within their accustomed boundaries.[2]

Not long after this inundation, the country was visited by another dreadful guest: the great pestilence, which had carried away such multitudes in 1349,[3] again broke out in Scotland, with symptoms of equal virulence and fatality. In one respect the present calamity was different from the former. That of 1349 had fallen with most severity upon the poorer classes, but in this the rich and noble in the land, equally with the meanest labourers, were seized by the disease, and in most instances fell victims to its ravages. The deaths at last became so numerous, and the crowds of the dead and the dying so appalling, that David, with his court, retreated to the north, and at Kinross, in Moray, sought a purer air and less lugubrious exhibitions.[4]

On his return, a domestic tragedy of a shocking nature awaited him. His favourite mistress, Catherine Mortimer, whom he had loved during his captivity, had afterwards accompanied him into Scotland, and from some causes not now discoverable, became an object of jealousy and hatred to the Earl of Angus and others of the Scottish nobles. At their instigation, two villains, named Hulle and Dewar, undertook to murder her; and having sought her residence under a pretence that they came from the king with instructions to bring her to court, prevailed upon the unsuspecting victim to intrust herself to their guidance. They travelled on horseback; and on the desolate moor between Melrose and Soutra, where her cries could bring none to her assistance, Hulle stabbed her with his dagger and despatched her in an instant.[5] David instantly imprisoned the Earl of Angus in Dumbarton castle, where he fell a victim to the plague, and commanded his unfortunate favourite to be buried with all honour in the Abbey of Newbattle.

Towards the conclusion of the year which was marked by this base murder, a secret negotiation, regarding the subject of which the public records give us no certain information, took place between Edward and the Scottish king. The Bishops of St Andrews and Brechin, with the Archdeacon of Lothian, the Earls of March and Douglas, Sir Robert Erskine, and Sir John Preston, repaired, with a numerous retinue, to the English court; but the object of their mission is studiously concealed. It is indeed exceedingly difficult to understand or to unravel the complicated intrigues and the various factions which divided the country at this period. The king himself was wholly in the interest and under the government of Edward. The Steward, on the other hand, to whom the people affectionately looked as his successor, and whose title to the throne had been recognised by a solemn act of the three estates of the kingdom, was at the head of the party which opposed the designs of England, and strenuously defended the independence of the country. Many of the nobles, seduced by the example of their sovereign, and by the wealth of England, had deserted to Edward; many others, indignant at such treachery, leagued themselves in the strictest ties with the Steward: and between these two parties there existed, we

[1] Fordun a Hearne, p. 1053.
[2] Fordun a Goodal, vol ii. p. 362.
[3] Winton, book viii. chap. xlv. vol. ii. p. 292.
[4] Fordun a Goodal, p. 365.
[5] Scala Chronicle, p. 196. Fordun a Goodal, vol. ii. p. 365.

may believe, the most deadly animosity. But we may, I think, trace in the records of the times—for our ancient historians give us no light on the subject—another and more moderate party, to whom Edward and David did not discover their ultimate intentions for the destruction of the independence of Scotland as a separate kingdom, but who hailed with joy, and encouraged with patriotic eagerness, those pacific measures which were employed to pave the way for their darker designs. Nor is it difficult to understand the feelings which gave rise to such a party. A war of almost unexampled length and animosity had weakened and desolated the country. Every branch of national prosperity had been withered or destroyed by its endurance; and it is easy to conceive how welcome must have been the breathing time of peace, and how grateful those measures of free trade and unfettered intercourse between the two countries which Edward adopted, from the moment of David's liberation till the period of his death.[1] It is quite possible to believe that such men as the Earl of Douglas and Sir Robert Erskine, the Bishops of St Andrews and Brechin, with other prelates and nobles, who were engaged in perpetual secret negotiations with Edward, should have been amused with propositions for a complete union and a perpetual peace between the two countries; while David himself, and those traitors who were admitted into the deeper parts of the plot, assisted at their negotiations, sheltered themselves under their upright character, and thus disarmed suspicion.

Meanwhile, under this change of measures, Scotland gradually improved; and the people, unconscious of the designs which threatened to bring her down to the level of a province of England, enjoyed the benefits and blessings of peace. The country presented a stirring and busy scene. Merchants from Perth, Aberdeen, Kirkcaldy, Edinburgh, and the various towns and royal burghs, commenced a lucrative trade with England, and through that country with Flanders, Zealand, France, and other parts of the continent; wool, hides, sheep, and lamb skins, cargoes of fish, herds of cattle, horses, dogs of the chase, and falcons, were exported; and in return, grain, wine, salt, and spices of all kinds; mustard, peas, potashes, earthenware, woollen cloth; silver and gold in bars, cups, vases, and spoons of the same precious metals; swords, helmets, cuirasses, bows and arrows, horse furniture, and all sorts of warlike accoutrements, were imported from England, and from the French and Flemish ports, into Scotland.[2]

Frequent and numerous parties of rich merchants, with caravans laden with their goods, and attended by companies of horsemen and squires, for the purposes of defence and security, travelled from all parts of Scotland into England and the continent.[3] Edward furnished them with passports, or safe-conducts; and the preservation of these instruments, amongst the Scottish rolls in the Tower, furnishes us with an authentic and curious picture of the commerce of the times. We find these passports granted to bodies of fifty and sixty at a time; each of the merchants being men of such wealth and substance as to be accompanied by a suite of four, five, or six horsemen. In the year 1363, passports were granted to forty-nine Scottish merchants, who are accompanied by a body of eighty-seven horsemen, and eighteen squires or garcons; and the following year was crowded with expeditions of the same nature. On one memorable occasion, in the space of a single month, a party of sixty-five merchants obtained safe-conducts to travel through England, for the purposes of trade; and their warlike suite amounted to no less than two hundred and thirty horsemen.[4]

Besides this, the Scottish youth, and many scholars of more advanced years, crowded to the colleges of Eng-

[1] Rotuli Scotiæ, vol. i. pp. 859, 862.

[2] Rotuli Scotiæ, vol. i. pp. 760, 881, 891, 911, 925. Rymer, vol. vi. p 575.

[3] Rotuli Scotiæ, vol. i. p. 876.

[4] Ibid. vol. i. pp. 885, 886.

land;[1] numerous parties of pilgrims travelled to the various shrines of saints and martyrs, and were liberally welcomed and protected;[2] whilst, in those Scottish districts which were still in the hands of the English, Edward, by preserving to the inhabitants their ancient customs and privileges, endeavoured to overcome the national antipathy, and conciliate the affections of the people. Commissions were granted to his various officers in Scotland, empowering them to receive the homage and adherence of the Scots who had hitherto refused to acknowledge his authority; passports, and all other means of indulgence and protection were withdrawn from such as resisted, or became objects of suspicion; and every means was taken to strengthen the few castles which he possessed, and to give security to the inhabitants of the extensive district of Annandale, with other parts of the country which were in the hands of English subjects.[3]

During the course of the year 1362, the Bishops of St Andrews and of Brechin, Wardlaw, archdeacon of Lothian, with Sir Robert Erskine and Sir Norman Lesley, were engaged in a secret mission to the court of England; and a public negotiation was commenced for a final peace between the two countries, which appears not to have led to any satisfactory result.[4] The truce, however, was still strictly preserved; the fears of an invasion of England by the party opposed to Edward had entirely subsided; and the pacific intercourse between both countries, by the constant resort of those whom the purposes of trade, or devotion, or pleasure, or business carried from their homes, continued as constant and uninterrupted as before.[5] Meanwhile Joanna, queen of Scotland, who had resided for some time past at her brother's court, was seized with a mortal illness, and died in Hertford castle.[6] In the course of the former year, the only son of the Earl of Sutherland, who was nephew to the Scottish king, had been cut off by the plague at Lincoln.[7] Edward Baliol lay also on his deathbed; and these events were seized upon as a proper opportunity to bring forward that great plan which had been so long maturing, and by which Edward the Third persuaded himself that, in return for his flattering and indulgent policy, he was to gain a kingdom.

Although the ramifications of the conspiracy by which Edward and David attempted to destroy the independence of Scotland are exceedingly obscure, enough, I think, has been pointed out to prove that it had been going on for many years. We have seen that the English king purchased from Baliol the whole kingdom; that David had completely thrown himself into the arms of England, and even actually acknowledged the superiority of the one crown over the other; and now when, as was imagined, all obstacles were removed, we are to witness the open development and the utter discomfiture of this extraordinary plot. A parliament was summoned at Scone in the month of March 1363;[8] and the king, after alluding to the late negotiation for a final peace which had taken place between the commissioners of both countries, proceeded to explain to the three estates the conditions upon which Edward had agreed to concede this inestimable blessing to the country. He proposed, in the event of his death, that the states of the realm should choose one of the sons of the King of England to fill the Scottish throne; and he recommended in the strongest manner that such choice should fall upon Lionel, the third son of that monarch,—a prince in every respect well qualified, he affirmed, to defend the liberty of the kingdom. If this election was agreed to, he was empowered, he said, to disclaim, upon the part of the King of England and his heirs, all future

[1] Rotuli Scotiæ, pp. 886, 891.
[2] Ibid. pp. 878-880.
[3] Ibid. pp. 861, 872, 873, 875, 894.
[4] Ibid. vol. i. pp. 862, 864.
[5] Ibid. pp. 859, 860, 865.
[6] Walsingham, p. 179.
[7] Fordun a Goodal, vol. ii. p. 366. Edward Baliol also died in 1363, at Doncaster. Knighton, p. 2627.
[8] 4th March 1363-4. Robertson's Parliamentary Records, p. 100.

attempts to establish a right to the kingdom of Scotland under any pretence whatever; that grievous load of ransom, which pressed so heavily upon all classes of the country, would be from that moment discharged;[1] and he concluded by expressing his conviction that in no other way could a safe and permanent peace be established between the two nations.[2]

The estates of parliament stood aghast at this base proposal, which was received by an instantaneous burst of deep and undissembled indignation. It required, indeed, no little personal intrepidity to name such terms to an assembly of armed Scottish barons. Their fathers and themselves had, for more than sixty years, been engaged in almost uninterrupted war against the intolerable aggressions of England. It was for the stability of the kingdom, whose liberties were now attempted to be so wantonly sacrificed, that Wallace, and Douglas, and Randolph, and Bruce had laboured and bled. By the most solemn acts of the legislature, and the oaths of the three estates, taken with their hands on the holy gospels, they were bound to keep the throne for the descendants of their deliverer; and it is not difficult to imagine with what bitter feelings of sorrow and mortification they must have reflected that the first proposal for the alteration of the succession came from the only son of Robert Bruce. In such circumstances, it required neither time nor deliberation to give their answer. It was brief, and perfectly unanimous, on the part of the three estates, clergy, nobles, and burgesses: "*We never,*" said they, "*will allow an Englishman to rule over us;* the proposition of the king is foolish and improvident, for he ought to have recollected that there exists heirs to the throne, whose age and virtues render them worthy of that high station; and to whom the three estates are bound to adhere, by the deeds of settlement, which have been ratified by their own solemn oath. Yet," they added, "they earnestly desired peace; and, provided the royal state, liberty, and separate independence of the kingdom were not infringed upon, would willingly make every sacrifice to attain it."[3]

With this resolute answer the king was deeply moved. His eyes flashed with rage, and his gestures for a moment betrayed the conflict of anger and disappointment which was passing in his mind; but he repressed his feelings, and, affecting to be satisfied, passed on to other matters. It was determined to open an immediate negotiation with England, preparatory to a final treaty of peace; and for this purpose, Sir Robert Erskine, along with Walter Wardlaw, the archdeacon of Lothian, and Gilbert Armstrong, were appointed commissioners by the parliament. With regard to the ransom, the nobles declared that they were ready cheerfully to suffer every privation, for the payment of the whole sum; and that they would use their utmost exertion to prevent the truce from being broken, as well as to answer for the penalties already due for its infringement, by that party which was adverse to England.[4] These

[1] Although this is not mentioned by Fordun or Winton, I have inferred that the discharge of the ransom was stipulated, from the terms of the Parliamentary Record, and from the sixth article of the subsequent secret treaty at Westminster. Rymer, vol. vi. p. 426.

[2] Fordun a Goodal, vol. ii. p. 366.

[3] "Cui breviter, et sine ulteriori deliberatione aut retractatione responsum fuit per universaliter singulos, et singulariter universos de tribus statibus, NUNQUAM SE VELLE CONSENTIRE ANGLICUM SUPER RE REGNARE." Fordun a Goodal, vol. ii. pp. 366, 367. Winton, vol. ii. p. 294. Robertson's Parl. Records, p. 100.

[4] In the record of this important parliament, which is unfortunately in an extremely mutilated state, there is some obscurity as to the meaning of the words, "Si que per partem adversam pro commissis hactenus possent infligi vel obiici." I understand the "pars adversa" to be the party of the Steward, which was decidedly hostile to England, and eager to break the truce. The whole "Record" of this famous parliament has been printed by the late Mr Robertson, in that first and interesting volume of the Records of the Scottish Parliament, which, on account of some defects in its arrangement, was cancelled and withdrawn. A copy of this rare work, which has been already quoted frequently in the course of this volume, was, many years ago, presented by Mr Thomson, the present Deputy-Clerk-Register, to my late father, Lord Woodhouselee; and to this

expressions alluded, no doubt, to the Steward and his friends, who, for some time before this, must have been aware of the practices of David against the independence of the country, and his secret intrigues with Edward.

The object of this daring plan, which, there is reason to believe, had been maturing during the whole course of David's captivity, was now avowed in open parliament; and, if carried into execution, it would have excluded for ever from the throne of Scotland the Steward, and all descendants of Robert the Bruce. We are not, therefore, to wonder that the bare proposal of such a scheme alarmed and agitated the whole kingdom. It was instantly, indeed, repelled and put down by the strong hand of parliament, and apparently given up by the king; but all confidence between David and his nobles was destroyed from this moment, and the effects of this mutual suspicion became soon apparent.

The Steward, who had good reason to suspect the sincerity of the king, assembled his friends to deliberate upon the course of proceedings which it was deemed necessary to adopt; and a very formidable league or conspiracy was soon formed, which included amongst its supporters a great majority of the nobility. According to a common practice in that age, the lords and barons who stood forward to support the succession entered into bonds or agreements of mutual defence, which were ratified by their oath and seal.[1] The Steward himself, with the Earl of March, the Earl of Douglas, the Steward's two sons, John, Steward of Kyle, Robert, Steward of Menteith, and others of the most powerful nobility in the country, openly proclaimed that they would either compel the king to renounce for ever his designs, and adhere to the succession, or would at once banish him from the throne.[2] To shew that these were not empty menaces, they instantly assembled their retainers, and in great force traversed the country. The nobles who supported David were cast into prison, their lands ravaged, their wealth, or rather the wealth of their unfortunate vassals and labourers, seized as legitimate spoil; and the towns and trading burghs, where those industrious mercantile classes resided, who had no wish to engage in political revolution, were cruelly invaded and plundered.

The violence of these proceedings gave to the cause of the king a temporary colour of justice; and of this his personal courage, the only quality which he inherited from his great father, enabled him to take advantage. He instantly issued a proclamation, in which he commanded the rebels to lay down their arms and return to their allegiance as peaceable and faithful subjects; and summoned his barons to arm themselves and their vassals in defence of the insulted majesty of the throne.[3] To the body of the disinherited barons in England, whose strength had, not long before, achieved so rapid a revolution, in placing Baliol on the throne, David confidently looked for assistance. This party included the Earl of Athole, the Lords Percy, Beaumont, Talbot, and Ferrers, with Godfrey de Ross, and a few other powerful nobles. From them, and from Edward himself, there is reason to believe that the king received prompt support both in men and money; for it is certain that he was able to collect a numerous army, and to distribute amongst the soldiers far larger sums for their pay and equipment than the exhausted state of the country and of his own coffers could have afforded.[4] The strong castles of Roxburgh, Jedburgh, and Lochmaben, with the Border districts around them, comprehending Annandale, part of Teviotdale, and the Merse,[5] were in the hands of the English, who compelled their warlike population to serve against the Steward; so that David was enabled to advance instantly against his enemies, with a force which

unpublished record I am indebted for valuable assistance, in an attempt to explain one of the darkest periods of Scottish history.

[1] Fordun a Hearne, p. 1057. [2] Ibid.

[3] Fordun a Goodal, vol. ii. p. 367.

[4] Fordun a Hearne, p. 1058. Robertson's Parliamentary Records, p. 101.

[5] Rymer's Fœdera, vol. vi. p. 426.

it would have been folly in them to attempt to resist. It was fortunate that the two parties thus ranged in deadly opposition against each other were yet mutually afraid of pushing matters into the extremities of a war. The king knew that he was generally unpopular, and that his attempt to change the succession was regarded with bitter hostility, not only by the nobles, but by the whole body of the nation; and he naturally dreaded to call these feelings into more prominent action.[1] On the other hand, the Steward was anxious, under such threatening circumstances, when his title to the crown was proposed to be set aside, to conciliate the affections of the people by a pacific settlement of the differences between himself and the sovereign. These mutual feelings led to a treaty which saved the country from a civil war. On the approach of the royal army, the Steward and the barons who supported him agreed to lay down their arms and submit to the clemency of the king. The bonds and engagements by which their party was cemented were renounced and cancelled in an assembly of the whole nobility of Scotland, which was convoked on the 14th of May, at Inchmurdach, a palace of the Bishop of St Andrews,[2] where the Steward again renewed his oath to David. He swore upon the holy gospels that he would henceforth continue faithful to the king as his sovereign and liege lord; that to the utmost of his power he would defend him from his enemies, and support his servants and ministers against every opposition; and this he promised under the penalty of losing all title to the throne of Scotland, of forfeiting his lands and possessions for ever, and of being accounted a perjured and dishonoured knight.[3]

In return for this prompt submission, the Steward's title in the succession was distinctly recognised, and the earldom of Carrick conferred upon his eldest son, afterwards Robert the Third. The Earls of March and Douglas, the sons of the Steward, and the rest of the barons who had joined his party, renewed their fealty at the same time; and David had the satisfaction to see a dangerous civil commotion extinguished by his energetic promptitude and decision. But this was only a temporary ebullition of activity; and, as if worn out by the exertion, the king relapsed into his usual indolence and love of pleasure.

It was at this critical time that he met with Margaret Logy,[4] a woman of inferior birth but extraordinary beauty. She was the daughter of one of the lower barons, and related, in all probability, to that John de Logy who had been executed for treason during the latter part of the reign of Robert Bruce. Of this lady David, ever the slave of his passions, became deeply enamoured; and, heedless of the consequences, determined to possess himself of the object of his affection. Overlooking, accordingly, in the ardour of his pursuit, all difference of rank, and despising the resentment of his proud nobility, the king married this fair unknown, and raised her to the throne which had been filled by the sister of Edward the Third. No step could be more imprudent. The Steward, who, in the event of a son being born of this alliance, would be excluded from the throne by a boy of almost plebeian origin—the powerful Earl of March, the haughty Douglas, and the other grandees of the realm, whose feudal power and territories were almost kingly, felt themselves aggrieved by this rash and unequal alliance. Disgust and jealousy soon arose between the queen and the nobility; and such was the influence which she at first possessed over the fickle and impetuous monarch, that he cast the Steward, with his son, Alexander, lord of Badenoch, into prison; and soon after, weary of his own kingdom, and aware of his unpopularity, obtained a safe-conduct to travel into England on a pilgrimage to the shrine

1 Fordun a Hearne, p. 1058.
2 Macpherson's Geographical Illustrations of Scottish History, voce Inchmurdach.
3 Fordun a Goodal, vol. ii. p. 369.
4 Fordun a Hearne, pp. 1059, 1010. Bower (Fordun a Goodal, vol. ii. p. 370) says she was the daughter of John Logy.

of the Virgin at Walsingham.[1] His fair queen, at the same time on the like errand, accompanied by a train of thirty knights, sought the shrine of St Thomas of Canterbury; and Scotland, deserted by her sovereign, and with the nearest heir to the crown in a dungeon, regarded with deep apprehension a state of things which, to the most superficial eye, was full of danger.

It was not to be expected that a prince of the talents and ambition of Edward the Third should fail to take advantage of these complicated difficulties. A large part of the ransom due by the King of Scotland was still unpaid; and as the regular terms of settlement had long been neglected, the penalties incurred by such a failure increased the principal sum to an overwhelming amount. The king's increasing unpopularity in Scotland rendered it impossible for him to collect the money which was required. It was only by the kindness and sufferance of Edward that he had not been repeatedly remanded to his prison in the Tower; and in a few years, if this state of things continued, he felt that he must lay down his royal pomp, and, deserted by a people who bore him neither love nor respect, return to the condition of a captive.[2] These reflections embittered his repose: he determined to consent to every sacrifice to get rid of a ransom which made him a slave to Edward and an abject suitor to his subjects; and, under the influence of such feelings, again engaged in a secret treaty with England against the independence of his country.[3]

It will be recollected that the estates of Scotland had already despatched the Bishops of St Andrews and Brechin, along with Sir Robert Erskine, the Chamberlain of Scotland, to negotiate a peace between the two countries;[4] and to the result of this public embassy we shall soon advert. In the meantime, whilst these deliberations proceeded, a secret conference was held between the privy councillors of David and Edward, and in presence of both monarchs, at Westminster, on the 26th of November 1363. The names of the privy councillors are studiously concealed; but the real object of this meeting was an attempt, upon the part of Edward, to renew his designs for the entire subjugation of Scotland; but this was done with a caution strongly indicating his sense of the flame which the bare suspicion of such a renewal would kindle in that country. It was premised, in the first passage of the record of this conference, that everything now done was to be regarded solely in the light of an experiment; and that the various stipulations and conditions which it contained were not to be considered as finally agreed to either by one party or the other, but simply as attempts to bring about, under the blessing of God, a lasting peace between the two nations. The King of Scotland, who, along with Edward, was personally present whilst the various articles were made the subject of debate, consented that, in the event of his death without heirs-male of his body, the King of England and his heirs should succeed to the throne of Scotland; upon which event the town and castle of Berwick, with the castles of Roxburgh, Jedburgh, and Lochmaben, and all the lands occupied by Robert the First at the time of his death, and now in the hands of the King of England, were to be delivered up to Scotland; whilst the arrears of the ransom, as well as all penalties and obligations incurred by its non-payment, were to be cancelled for ever.

These were the two principal articles in the conference; but a variety of inferior stipulations were added, the object of which was evidently to induce the people of Scotland to sacrifice the independent throne of their country, by the solemn manner in which Edward agreed to preserve unimpaired its ancient constitution, and the laws and usages of the kingdom. It was

[1] Fordun a Goodal, vol. ii. p. 380. This author asserts that the Steward and his three sons were kept in separate prisons. From the Chamberlain's Accounts, pp. 498, 524, the fact seems to be as stated in the text.

[2] Rymer's Fœdera, vol. vi. p. 48.

[3] Ibid. p. 426.

[4] Robertson's Parliamentary Records, p. 100. Rotuli Scotiæ, 38 Ed. III. m. 6. 18th July, vol. i. p. 884.

agreed that the name and title of the kingdom of Scotland should be preserved distinct and entire, and should never be sunk in a union with England; whilst, at the same time, it was to remain, not in name only, but in reality, entire, without injury by gift, alienation, or division to any mortal, such as it was in the days of Robert the First. The kings of England were henceforth to be crowned kings of Scotland at Scone, upon the regal and sacred stone-seat, which was to be immediately conveyed thither from England; and the ceremony was to be performed by those Scottish prelates who were deputed by the Church of Rome to that office. All parliaments regarding Scottish affairs were to be held within that kingdom; and a solemn oath was to be taken by the English monarch that, as king of Scotland, he would preserve inviolate the rights and immunities of the holy Scottish Church, and consent that she should be subject neither to bishop nor archbishop, but solely to the Pope. In addition to all this, Edward engaged faithfully that the subjects of Scotland should never be called upon to answer to any suit, except within the courts of their own kingdom, and according to their own laws. He promised that no ecclesiastical benefices or dignities, and no civil or military office, such as that of chancellor, chamberlain, justice, sheriff, provost, bailie, governor of town or castle, or other officer, should be conferred on any, except the true subjects of the kingdom of Scotland; and that, in affairs touching the weal of that realm, he would select his councillors from the peers and lords of Scotland alone. He engaged, also, to maintain the prelates, earls, barons, and free tenants of that country, in their franchises and seignories, in their estates, rents, possessions, and offices, according to the terms of their charter; and pledged his royal word to make no revocation of any of the grants made or confirmed by Robert Bruce, or his son the present king.[1]

With regard to an important branch in the national prosperity—the commerce of Scotland—it was declared that the merchants of that realm should fully and freely enjoy their own privileges, without being compelled to repair, for the sale of their commodities, to Calais, or any other staple, except at their own option; and that they should pay half a mark to the great custom upon each sack of wool which they exported. The duty on the exportation of English wool was higher; and this article formed one of those many devices by which Edward, in his present projects, artfully endeavoured to secure the good-will of the rich burghers of Scotland,—a class of men now rising into influence and consideration. Nor were other baits for popularity neglected by those who framed this insidious treaty. To the powerful Earl of Douglas it was held out that he should be restored to the estates in England which had been possessed by his father and his uncle; —to the disinherited lords, the Earl of Athole, the Barons Percy, Beaumont, and Ferrers, with the heirs of Talbot, and all who claimed lands in Scotland, either by the gift of David when a prisoner, or on any other ground, there was promised a full restoration to their estates, without further trouble or challenge. The clergy were attempted to be propitiated by an article which promised to every religious house or abbey the restoration of the lands which had been torn from them during the excesses and calamities of war; and to the numerous and powerful body of vassals, or military tenants, who formed the strength of the nation, it was distinctly announced that, under the change which was to give them a new king, they were only to be bound by the ancient and acknowledged laws of military service, which compelled them to serve under the banner of their lord for forty days at their own expense; but that afterwards, any further continuance with the host should entitle them to receive pay according to their state and quality. A general indemnity was offered to all Scottish subjects, in the declaration that no challenge or action whatever should be

[1] Rymer's Fœdera, vol. vi. p. 427.

used against those who had departed from the oaths of homage which they had formerly sworn to England; and as to any additional conditions or articles which the three estates of Scotland might judge it right to demand, for the profit or good of their kingdom, the King of England declared that these points should be duly weighed by his council, and determined according to their advice.

This extraordinary conference, which was not known to the ancient Scottish historians Fordun or Winton, concluded by a promise upon the part of David that he would immediately sound the inclinations of his people, and inform the King of England and his privy council of their feelings regarding the propositions it involved, fifteen days after Easter.[1]

There remains no record by which we can discover whether this treaty was ever made the subject of deliberation in the Scottish parliament, or even in the privy council; but, fortunately for the peace of the country, it was unknown to the people for many hundred years after. Meanwhile, David and his queen remained at the court of Edward, rendered at this time especially brilliant by the presence of the Kings of France, Cyprus, and Denmark.[2] Amid the splendid entertainments in which this weak prince endeavoured to forget his kingdom, and to silence and drown reflection, one is worthy of notice. Sir Henry Picard, a wine merchant, gave a feast in his mansion to his royal master, Edward the Third. He invited, at the same time, the Kings of France, Scotland, Cyprus, and Denmark, with the personal suites of these monarchs, the sons of Edward, and the principal barons of England, who were all welcomed with princely magnificence. Whilst these guests were feasting in the hall, his wife, the Lady Margaret, received, in her apartments, the princesses and ladies of the court. A simple citizen of London entertaining five kings in his own house affords a remarkable picture of the wealth of the capital.

Amid such secret treachery and public rejoicings, the Scottish commissioners continued their negotiations for peace; and, after long debate and delay, returned to Scotland. David also repaired to his kingdom; and a parliament was summoned to meet at Perth, for the purpose of reporting to the three estates the result of the conferences on the projected treaty between the two countries.[3] This great council met accordingly on the 13th of January 1364, and nothing could be more wise and independent than their conduct. The embarrassment of the nation, from the immense expenditure of public money, and the increasing anxiety caused by the great portion of the king's ransom which was yet unpaid, were uppermost in their thoughts; and they were willing to make every sacrifice to extricate the country from its difficulties, to be freed from the payment of the ransom, and to obtain an honourable peace. For the accomplishment of this end, they declared themselves ready to restore the disinherited lords, meaning by this the Earl of Athole, the Lords Percy, Beaumont, Talbot, Ferrers, Godfrey de Ross, and a few others of inferior note, to the estates which they claimed in Scotland;[4] and to settle upon the youngest son of the King of England the lands in Galloway which were the inheritance of Edward Baliol, and the Isle of Man. The annual income of this island was rated at a thousand marks; and it was stipulated that if the Earl of Salisbury should claim the property of the island, an annuity of one thousand marks sterling should be paid to the prince, until lands of the same value were settled upon him, provided always that he held the same as the sworn vassal of the King of Scotland. In the event of such conditions being accepted by England as an equivalent for the ransom, they declared themselves ready to shew

[1] Fœdera, vol. vi. p. 427.
[2] Barnes's Ed. III. p. 633. Rotuli Scotiæ, vol. i. p. 884, 38 Ed. III.
[3] Robertson's Parliamentary Records, p. 101.
[4] Ibid.

their sincerity as allies by an invasion of Ireland, conducted by the king in person, and directed against that part of the coast where the landing was likely to be most successful.

The anxiety of the parliament for peace was strongly marked in the next article in their deliberations. If, said they, these conditions, which we are ready to make the basis of our negotiation, are not accepted by England, still, rather than renounce all hopes of a just and lasting peace, we have unanimously agreed that the ransom shall be paid, provided that moderate intervals between each term of payment are allowed; and in the understanding that a perpetual union and alliance shall take place between the two nations, if not on terms of a perfect equality of power, at least on such conditions as shall in no degree compromise the freedom and independence of Scotland.[1] In these conditions the estates declared themselves willing to include the articles regarding the disinherited lords; the provision to the son of the King of England; and the invasion of Ireland, provided the talents and industry of those to whom the negotiation had been intrusted were unsuccessful in obtaining a mitigation of the same. A proportional deduction from the large sum of the ransom was of course to be made, if such conditions were accepted by England.

It became, in the next place, a subject of grave consideration with the parliament what conduct ought to be pursued if, by such sacrifices, they were yet unable to procure the blessing of peace; and in their deliberations upon this subject a view is given of the great efforts which the country was ready to make, and of the mode in which the three estates proposed to raise money for the payment of the ransom, which is important and instructive.

Of the original sum stipulated—namely, one hundred thousand pounds sterling—twenty thousand marks had been already paid; although, owing to the instalments not having been regularly transmitted at the appointed periods, there had been an accumulation to a considerable amount in the form of penalty for non-payment. It was accordingly proposed by the parliament that England should agree to a truce for twenty-four years, upon which they were ready to pay down annually, during the continuance of that period, five thousand marks sterling, till the sum of a hundred and twenty thousand marks was completed, being the whole accumulated ransom and penalty. Should the English council refuse a cessation on such terms, two other schemes were suggested. The first was the payment of a hundred thousand pounds, at the rate of five thousand marks yearly, exclusive of the twenty thousand marks already received by England; and if this should not be accepted, they declared their readiness, rather than renounce the hopes of a truce, to pay down in ten years, at the rate of ten thousand marks annually, the full sum of a hundred thousand marks, as stipulated in the first treaty regarding the ransom of the king.

The manner in which this enormous sum was to be raised became next the subject of consideration. It was determined that an annual tax, or custom, of eight thousand marks was to be levied upon the whole wool of the kingdom, and that certain faithful burgesses should be appointed to receive it in Flanders in English money; but the precaution was added, that some experienced person should attend in the weighing-house upon the part of the king, to superintend the annual payments, and watch over the interests of his master. In this manner, eight thousand marks were to be paid annually, according to the conditions of the first treaty.

In addition to this, it was enacted in the same parliament that a general annual tax should be levied, throughout the kingdom, of six pennies in the pound, upon every person, without exception. Out of this sum, two thousand marks were to be yearly appropriated to make up the

[1] Robertson's Parl. Records, p. 101.

ten thousand marks of the redemption money; and the residue was to remain in the hands of the chamberlain for the necessary expenses of the king.

The lords and barons assembled in parliament solemnly engaged to ratify and approve of any treaty of peace or truce which the plenipotentiaries who managed the negotiation might conclude with the King of England and his council, and to adhere to, and carry into effect, the above-mentioned ordinance for the payment of the ransom. They agreed, also, that they would not, secretly or openly, for themselves or for their dependants, demand the restoration of any lands which, during the time stipulated for the payment of the ransom, should happen to fall into the king's hands by ward, relief, marriage, fine, or escheat, but allow the same to remain entire, in the custody of the chamberlain, for the use of the king; and it was added, that they adopted this resolution because the non-fulfilment of these conditions might lead to an utter abrogation of the treaty already in the course of negotiation; an event which could not fail to bring both disgrace and loss upon the king, the prelates, and the nobility, and destruction upon the rest of the kingdom.

The proceedings of this important parliament concluded by an oath, taken by the prelates, lords, and commons who composed it, with their hands upon the holy gospels, that they would with their whole power pursue and put down any person whatsoever who should infringe any of the resolutions above mentioned; that they would regard such person as a public enemy, and a rebel against the crown; and, under the penalty of being themselves accounted perjured and traitorous persons, would compel him or them to the due observance of the stipulated agreement.[1] The Steward of Scotland, with his eldest son, John, lord of Kyle, afterwards Robert the Third, the Earl of Ross, and Keith, lord mareschal, were the chief of the higher barons who sat in this parliament. A pilgrimage to the shrine of St Thomas à Becket[2] detained the powerful Earls of March and Douglas in England; but the attendance of the bishops and abbots, of the minor barons and the representatives of the royal burghs, was full, and the resolutions may be regarded as a fair criterion of the feelings and wishes of the kingdom.

In consequence of these deliberations, a further negotiation took place at London between the English and Scottish commissioners, in which the heads of a new treaty of peace were debated and drawn out.[3] Of this treaty, the principal articles consisted in a proposed truce, for twenty-five years, between the two kingdoms, and an engagement, upon the part of Scotland, to pay into the English treasury a hundred thousand pounds sterling, in full of all demand for ransom, and of all penalties for non-payment at the stated period. In the meantime, until this long truce should be finally settled, a short one of four years was certainly to take place, during which the negotiations for a final peace were to proceed, and if, after the lapse of this probationary period, either country preferred war to peace, in that event, half a year's warning was to be given, previous to the commencement of hostilities, by letters under the great seal.[4] It was stipulated, also, upon the part of the King of Scotland, that, in the event of a declaration of war by Edward after the four-years' truce, all the sums already paid, during this interval of peace, were to be deducted from the sum of eighty thousand marks of ransom-money, which the king had bound himself to pay by letters under his great seal. On these conditions, Edward prorogued the

[1] Robertson's Parliamentary Records, pp. 101, 102. The original record, which has never been published, will be found in the Illustrations, letters HH. It is dated 13th January 1364.

[2] Rotuli Scotiæ, vol. i. pp. 878, 879.

[3] Rymer's Fœdera, vol. vi. p. 464.

[4] Robertson's Parliamentary Records, p. 102. The letter of David upon this projected treaty is dated at the castle of Edinburgh, 12th June 1365.

truce from the 20th of May 1365, for the space of four years,[1]—anxious to employ this interval of peace in renewed intrigues for the subjugation of the country.

In less than a month after this prorogation, a parliament was held at Perth, in the hall of the Dominican convent, in presence of the king, where the result of the latest conferences between the Scottish and English commissioners regarding an ultimate peace was anxiously debated.[2] It was attended by the Bishops of St Andrews, Dunkeld, Moray, Brechin, and Whithern, the Steward of Scotland, the Earls of Dunbar, Moray, and Douglas, John de Yle, Keith the marshal, Sir Robert Erskine, Sir Henry de Eglinton, Sir William de Haliburton, Sir Roger Mortimer, Sir David Fleming, John of Argyle, lord of Lorn, and Gillespic Campbell. In this parliament many of the nobility and lesser barons do not appear to have sat; and the circumstance of sixty-five of the principal Scottish merchants having received safe-conducts for travelling into England during the course of the preceding year,[3] may probably account for the absence of the representatives of the burghs from the same assembly. It would appear from the fragment of an ancient record of its proceedings, which is all now left us, that Edward, as one of the basis of a final peace between the two countries, had insisted that Scotland, in the event of England being invaded, should assist him with a subsidy of forty men-at-arms and sixty archers, to serve within England, and to be paid by that country. This obligation was to be binding upon Scotland for ever; or, in the event of its not being accepted by England, it was proposed, as an alternative, that David should assist Edward in his Irish war with a body of Scottish troops, who were to serve in Ireland for five years, but only for the space of three months each year. If, on the other hand, Scotland should be invaded by foreigners, an English auxiliary force of two hundred men-at-arms, and three hundred archers, was promised by Edward for the assistance of his ally, to be supported by Scotland. A reference was finally made to the resolutions drawn up in the parliament, which was held at Perth in the preceding year; and it was unanimously determined that rather than renounce the hope of a lasting peace, every article contained in these resolutions should be conceded to England, provided their commissioners did not succeed in obtaining some mitigation of the conditions.[4]

The extraordinary sacrifices which the Scottish parliament were ready to consent to for the sake of peace encouraged Edward in the hope that the country was at length exhausted by its long struggle for freedom, and that its ultimate reduction under the power of England was not far distant; and the political measures which he adopted to secure this great end of his ambition were far more likely to succeed than open force or invasion. The nation had been reduced to the lowest pitch of impoverishment in every branch of public wealth; and in this condition, by the encouragement which he extended to its merchants;[5] the security and protection which were given to the vassals and labourers, who lived upon the lands in Scotland subject to himself or to his nobles, and the privileges bestowed on the religious houses which had come under his peace,[6] he contrived to make them feel, in the most lively manner, the blessings of repose as contrasted with the complicated miseries of war. The minutest methods of engaging the affections and good wishes of the people were not neglected; and the conqueror at Cressy did not disdain to grant his royal letters to a Scottish

[1] Robertson's Parliamentary Records, p. 103. 20th June 1365.

[2] Ibid. p. 104. 24th July 1365.

[3] Rotuli Scotiæ, p. 885. The safe-conducts are dated the 4th November 1364, and lasted for a year.

[4] Robertson's Parliamentary Records, p. 104.

[5] Rotuli Scotiæ, vol. i. p. 897. 16th Oct. 1365. Ibid. vol. i. p. 891.

[6] Ibid. vol. i. p. 894. 26th May 1365. Ibid. pp. 887, 906.

tile-maker, that he might improve himself in his mystery by a residence in London.[1]

It is impossible now to discover the secret practices by which he succeeded in corrupting or neutralising the patriotic principles of the higher classes of the nobility; but the fact is certain, that not only an almost uninterrupted but secret correspondence took place between the English and Scottish kings,[2] but that several of the greater barons embraced his interests; and that numbers of the knights and gentry of Scotland were detached from their country, either by entering into the service of foreign powers, by engaging in pilgrimages to England, or by permitting themselves to be seduced from their severer duties at home by the chivalrous attractions of the splendid court of Edward.

David and his queen paid repeated visits to the shrine of St Thomas of Canterbury; the powerful Earl of March repaired to England upon the same pretence;[3] John Barbour, archdeacon of Aberdeen, a name famous as the metrical historian of Bruce, obtained a safe-conduct to proceed with six knights upon a foreign pilgrimage;[4] and we may form some idea of the extent to which these religious expeditions were carried, and the important advantage they gave to Edward in crippling the power of Scotland, from the fact that, in the end of the year 1365, a band of twenty-two Scottish pilgrims, most of them knights and soldiers, having in their company a body of a hundred horsemen, left their own country upon pilgrimages to different shrines in England, Europe, and Asia.[5] Another hold of Edward over the Scottish barons was their needy circumstances, and their debts in England. David himself and his queen did not venture to come into that country without a special protection from arrest for his person and his whole establishment; and from the sums expended during their captivity, or in their ransom, and in support of the hostages, many of his barons were undoubtedly in the same situation:[6] exposed to the annoyance of an arrest if they thwarted the views of Edward, or treated with indulgence and lenity if they promoted the objects of his ambition.

At this time, the English king carried his arrogance so far as to designate Robert Bruce as the person who had pretended to be King of Scotland; nor did he deign, in his various letters of protection, to give David the royal title, calling him his dear brother and prisoner, and affecting to consider Scotland as part of his own dominions.[7] This was not altogether a vain boast: various parts of that country, and some of its strongest castles, were in his hands, or in the occupation of his subjects; he possessed large tracts on the Marches, in Annandale, Tynedale, Teviotdale, and Liddesdale; whilst the religious houses of Kelso and Melrose, and in all probability other abbeys or monasteries, whose names do not appear, had submitted to his authority, and enjoyed his protection.[8] Yet although the secret negotiations between the two countries continued, and David and his queen, from the frequency of their visits, seemed almost to have taken up their residence in England, the spirit of the country was in no degree subdued; and about this time Edward found himself compelled to issue orders to Henry Percy, with the Barons Lucy, Clifford, Dacres, and Musgrave, to keep themselves in readi-

[1] Rotuli Scotiæ, vol. i p. 905.

[2] Ibid. vol. i. p. 896. 15th August 1365. Dillon's History of Peter the Cruel, vol. ii. p. 50.

[3] From the extreme frequency of these pilgrimages, and the abruptness with which the rage for them seems to have seized the Scots, I suspect they sometimes were political missions under the cloak of religion. The first of them is in 1357, 12th March. Rotuli Scotiæ, p. 882. In the year 1363, the Earls of March, Douglas, and Mar successively visited the shrine of St Thomas à Becket.

[4] Rotuli Scotiæ, p. 897. 16th Oct. 1365.

[5] Ibid. vol. i. p. 901.

[6] Rotuli Scotiæ, vol. i. p. 900. 18th March 1365-6. Sálvi conductus, cum protectione ab arresto, pro Rege et Regina Scotiæ, et pro comite Marchiæ limina Sancti Thomæ visitaturis. See also Rotuli Scotiæ, vol. i. p. 882.

[7] Rotuli Scotiæ, vol. i. p 901. 18th March 1365-6.

[8] Ibid. vol. i. pp. 794, 875, 877, 880, 887, 896, 902, 908. Rymer's Fœdera, vol. vi. p. 594.

ness to repel a meditated invasion of the Scots.[1]

The Scottish parliament which met at Perth in the summer of the preceding year had expressed a hope that the commissioners to whom they intrusted the negotiation of a peace might succeed in obtaining some mitigation of the rigorous conditions proposed by Edward. In this expectation they were disappointed. That monarch, as was to be expected, increased in the insolence of his demands; and in an assembly of the Scottish council, which took place at the monastery of Holyrood on the 8th of May, when David was, as usual, absent in England,[2] the spirit of the nobles who remained true to their country seems to have gathered courage from despair. They announced, in the strongest possible language, that the propositions of Edward with regard to the homage, the succession, and the demembration of the kingdom could not for a moment be entertained; that they involved a submission which was altogether intolerable; and that, in the event of the probable rejection of all overtures of peace, the Scottish people, rather than consent to such degrading terms, were willing to make still greater sacrifices in order to pay off the ransom of their king. For this purpose, they declared themselves ready to submit to an additional tax upon all the lands in the kingdom, both lay and ecclesiastical. It was directed that the sheriff of each county should appoint certain days for the appearance of the richest proprietors within his jurisdiction; at which time they were to mark the precise sum which each was willing to contribute within three years towards defraying the ransom, and afterwards to collect the amount. If this were done, it was calculated that at the end of the four-years' truce the whole ransom money would be ready to be delivered to England.[3]

[1] Rotuli Scotiæ, p. 896. 20th Aug. 1365.

[2] Robertson's Parliamentary Records, p. 104. Rotuli Scotiæ, vol. i. pp. 900, 901.

[3] Robertson's Parliamentary Records, p. 104. The fragment of the Order of Council will be found in the Illustrations, letters II. Its date is the 8th of May 1366.

The Order of Council, from which these facts are extracted, is a mutilated document, and unfortunately contains no further information; but enough of it remains to evince the temper of the Scottish people; and any further attempts at negotiation only served to shew the vanity of all expectations of a final peace, and to widen the breach between England and the well-affected part of the nation. In that country preparations for war; orders to the lords marchers to put the Borders in a state of defence; to command an array of all fighting men between sixteen and sixty; and to strengthen and victual the castles and the marches,[4] succeeded to these abortive attempts at negotiation: and it seems to have been confidently expected in England that the Scots would break or renounce the truce, and attack the Border counties. Meanwhile, a parliament was convoked at Scone on the 20th of July,[5] which was fully attended by the bishops, abbots, and priors; by the high lords and lesser barons, as well as by the representatives of the royal burghs. The expenses which had been contracted by the incessant and wasteful visits of David and his queen to the court of Edward; the heavy sums due by the Scottish commissioners, who had been so long and so fruitlessly engaged in negotiations for peace; and the large balance of the ransom which still remained unpaid, formed altogether a load of debt, the payment of which became to this assembly a subject of ceaseless anxiety, and called for new sacrifices.

Three years of the short truce had expired; yet peace appeared now even more distant than before, and war and bankruptcy were fast approaching. In these circumstances, it was resolved to make a last attempt at negotiation; and to intrust its management to the same commissioners, the Bishop of St Andrews, Sir Robert Erskine, Wardlaw, archdeacon of Lothian, and Gil-

[4] Rotuli Scotiæ, 906, 908, 909, vol. i. The castles of Berwick, Lochmaben, and Roxburgh were then in the hands of Edward.

[5] Robertson's Parliamentary Records, p. 105. 20th July 1366.

bert Armstrong; with directions that the articles, already drawn up in the former parliament at Perth,[1] should be the basis of their negotiation. If their efforts failed to procure a final peace, they were directed by the parliament to obtain, if possible, a prolongation of the truce for twenty-five years, on condition that Scotland should pay annually four thousand pounds in extinction of the remainder of the ransom. An exact estimate of the actual value of all the lands in the kingdom, as distinguished from that denominated the ancient extent, was appointed to be taken. In this census were included the lands belonging to the Church; the estates of the nobles and lesser barons; the property of the burghers and merchants; and even the goods of the husbandmen or labourers. From this estimate of property a special exception is made as before in favour of the "white sheep," which were to pay nothing to the general contribution; and it was directed that, on a certain day,[2] the returns should be given in at Edinburgh to the council; after which, on summing up the whole, a contribution of eight thousand marks was to be levied upon the gross rental of the kingdom, to defray the expenses of the king's visits; to pay off the debts which he had contracted in his own kingdom; and to cover the charges of the commissioners. As to the £4000 annually due as ransom money, it was agreed that, until the return of the commissioners, this should be paid out of the great custom which had been set apart for that purpose in a former parliament. After their return, it was deemed advisable by the parliament that this sum of £4000 should be taken out of the produce of the general tax upon the property of the kingdom; and that £2000 out of the same fund should be employed to relieve the king from debt, to pay his expenses, and the charges of the commissioners. This last sum was required without delay. It was, therefore, borrowed from the barons, clergy, and burgesses, in the proportions of one thousand from the first, six hundred from the second, and four hundred marks from the last order; Sir Robert Erskine, and Walter Biggar, the chamberlain, becoming surety to the burgesses that the debt should be duly paid as soon as the general tax was levied upon the property of the kingdom.

Such being the unexampled sacrifices which were cheerfully made by the nation, for the relief of the king, and the support of the crown, it was natural and just that some reciprocal favours should be granted for the protection of the people. Accordingly, at the request of the three estates, it was expressly proclaimed that justice should be administered to every subject of the realm without favour or partiality; and that whatever writs or letters had been directed from the Chancellary or other court, in the course of the prosecution of any cause, should not be liable to be recalled by the sealed writ of any other officer; but that the ministers to whom such were addressed be bound to give them full effect, and to return them endorsed to the parties. It was also solemnly stipulated that no part of the sums collected for the ransom and the expenses of the king, or of his commissioners, should be applied to any other use; that the Church should be protected in the full enjoyment of her immunities; and that all opponents to the regular levying of the tithes should be compelled to submit peaceably to their exaction, under the penalty of excommunication, and a fine of ten pounds to the king. Nothing was to be taken from the lieges for the use of the king, unless upon prompt payment; and, even when paid for, the royal officers and purveyors were directed to exact only what was due by use and custom, and not to make the necessity of the king or their own will the rule of their proceeding. The parliament resolved, in the next place, that the rebels in Argyle, Athole, Badenoch, Lochaber, and

[1] Held on the 13th January 1364.

[2] "Infra festum nativitatis beatæ virginis, proximo futurum apud Edinburgh," viz. 8th September. Robertson's Parliamentary Records, p. 105.

Ross, and all who had defied the royal authority in the northern parts of the kingdom, should be seized, and compelled to submit to the laws, and to pay their share in the general contribution; besides being otherwise punished, as appeared best for securing the peace of the community. This brief notice in the Parliamentary Record is the only account which remains of what appears to have been a serious rebellion of the northern lords, who, encouraged by the present calamities, had thrown off their allegiance, at all times precarious, and refused to pay their proportion of the contribution for the relief of the kingdom. The principal leaders in this commotion were the Earl of Ross, Hugh de Ross, John of the Isles, John of Lorn, and John de Haye, who declined to attend the parliament, and remained in stern independence upon their own estates.[1]

All sheriffs and inferior magistrates, as well within as without burgh, were commanded to obey the chamberlain and other superior authorities, under the penalty of a removal from their offices. It was directed that no barons or knights, travelling through the country with horse or attendants, should permit their followers to insist upon quarters with the inferior clergy, or the farmers and husbandmen, so as to destroy the crops and meadows and consume the grain; that they should duly pay their expenses to the inns where they baited or took up their residence; and that the chamberlain should take care that, in every burgh, such inns be erected and maintained according to the wealth of the place. No prelate, earl, baron, knight, or other person, lay or clerical, was to be permitted to ride through the country with a greater suite than became their rank; and, under pain of imprisonment, such persons were enjoined to dismiss their bodies of spearmen and archers, unless cause for the attendance of such a force was shewn to the king's officers. All remissions for offences granted by the king were declared cancelled, unless the fine was paid within the year from the date of the pardon; and it was finally directed that these regulations for the good of the state should be reduced to writing under the royal seal, and publicly proclaimed by the sheriffs in their respective counties.[2]

In consequence of the resolutions in this parliament, an attempt appears to have been made to procure a peace, which, as usual, concluded in disappointment, and only entailed additional expense upon the country.[3] It was followed by warlike indications upon the part of England. Orders were issued to the Bishop of Durham to fortify Norham, and hold himself in readiness to resist an invasion of the Scots; Gilbert Umfraville was commanded to reside upon his lands in Northumberland; an array was ordered of all fighting men between the ages of sixteen and sixty;[4] and Henry Percy was enjoined to inspect the state of the castles upon the marches, and in the Anglicised part of Scotland.

It happened, unfortunately for that country, at a time when a combination of their utmost strength was absolutely necessary, that petty feuds and jealousies again broke out amongst the Scottish nobles. During the long captivity of David, and the consequent disorganised state of his dominions, the pride and power of these feudal barons had risen to a pitch destructive of all regular subordination: they travelled through the country with the pomp and military array of sovereigns; affected the style and title of princes; and, at their pleasure, refused to attend the parliament,[5] or to contribute their share to the relief of the king and the people. If offended, they retired to their own estates and castles, where, surrounded by their vassals, they could easily bid defiance to the

[1] Robertson's Parliamentary Records, p. 105.

[2] Robertson's Parliamentary Records, pp. 105, 106. The whole record of this parliament, which has never been published, will be found in the Illustrations, letters KK.

[3] Rotuli Scotiæ, vol. i. p. 909. 8th February 1366.

[4] Ibid. vol. i. pp. 909, 910, 911.

[5] Robertson's Parliamentary Records, p. 106.

authority of the laws; or they retreated into England, to occupy their time in tournaments, visiting holy shrines, or travelling, with an array of knights and squires, to various parts of Europe, where they lavishly wasted, in the service of foreign powers, the blood and treasures which ought to have been spent in securing the independence of their country.[1] Of this idle and unworthy conduct of the Scottish nobility, the rolls of the Tower furnish us with repeated examples. The Earl of Douglas, one of the most powerful subjects in Scotland, along with the Earl of March, who held the keys of the kingdom on the Borders, and the Earl of Ross, a baron of formidable strength in the north, proudly absented themselves from Parliament; and soon after, Douglas, with a retinue of four-and-twenty horse, obtained a safe-conduct from Edward to travel into England, and beyond seas; whilst his example in deserting his country was imitated by a body of thirteen Scottish clerks and barons, attended by a body of seventy-five horse.[2] In the battle of Nagera in Spain, fought, a short time before this, between Edward the Black Prince and Peter the Cruel, against Henry of Transtamarre, many Scots were in the army of Henry; and we have already seen that, some time before the same period, there appear to have been frequent emigrations of Scottish adventurers to join the Teutonic knights in Prussia.[3]

These, however, were not the only distressing consequences attendant on the long captivity of the king. The patrimony of the crown had been seriously dilapidated during the period of confusion which, notwithstanding all the efforts of the Steward, succeeded the battle of Durham. It was no longer what it had once been. Its rents and customs; its duties and its fines; its perquisites and privileges, had been gradually disused, or silently encroached upon; and in some instances its lands had probably been seized, or made the subject of sale or gift: so that, from the actual want of funds, the king found it difficult to live in Scotland, or to support, as it became him, the expenses of his royal establishment, without a constant and oppressive taxation; and this, perhaps, is the best excuse, although an insufficient one, for his frequent visits to England, and long residences in that country. As far back as 1362, we find that David's first queen had been under the necessity of pawning her jewels for debt; and, only four years after, her royal consort was compelled to adopt the same painful expedient.[4]

This defalcation in the royal revenue amounted at length to a serious grievance; and a parliament was summoned at Scone, on the 27th of September 1367,[5] for the purpose of taking the subject into consideration. It was determined that, to defray the expenses of the royal establishment, and to enable the king to live without oppressing the people, the patrimony of the crown must be restored to the condition in which it stood in the time of Robert Bruce and Alexander the Third; and that all the rents, duties, customs, perquisites and emoluments which, having accrued to it in the interval between the death of these monarchs and the present day, had been grievously dilapidated, should be reclaimed. It was declared, with that short-sighted and sweeping spirit of legislation which marked a rude age, and a contempt of the rights of third parties, that if these rents or duties belonging to the crown had been disposed of; or, under certain conditions, entirely abolished; or, if the crown lands had been let, either by the king or his chamberlain; still, such was the urgency of the case, that everything was, by the speediest possible process, to be restored to it, as if no such transaction had ever taken place: all such leases, gifts, or private contracts, were pronounced null and void, and the

[1] Rotuli Scotiæ, vol. i. p. 924. 16th October 1368.

[2] Ibid. vol. i. pp. 915, 916. 16th and 26th October 1367.

[3] Dillon's History of Peter the Cruel, vol. ii. p. 50.

[4] Compotum Camerarii Scotiæ, pp. 395, 464.

[5] Robertson's Parliamentary Records, p. 108. 27th September 1367. The record of this parliament will be found printed in the Illustrations, letter LL.

whole patrimony was to be restored, with its ancient privileges, into the hands of the king. All lands in ward, all the feudal casualties, due upon the marriage of crown vassals, with the fines or perquisites of courts, were to remain in the hands of the chamberlain for the king's use; and if the sovereign was anxious to promote or reward any individual, this was directed to be done out of the movable property of the crown, and with the advice of the privy council. All deeds or charters, by which such dilapidations of the property of the crown had been made, either in the time of Robert Bruce, or of the present king, were ordered by the parliament to be delivered into the exchequer at Perth, to remain in the hands of the chancellor and the chamberlain; and any such deeds not so delivered upon the appointed day were abrogated, and declared to be of no force or effect in all time coming.[1]

In the same parliament, a wise regulation was introduced with regard to those lands, which, as has been already mentioned, were at this time in the hands of the enemy. It was declared that, as several large districts in the different counties of the kingdom had long been, and still were, "under the peace" of the King of England, in which there were estates holding of the king, and whose heirs had remained in Scotland his faithful subjects, it was deemed expedient by the parliament, as soon as all regular forms had been complied with, and such persons found by a jury to be the true heirs, that they should receive *letters of sasine* addressed to the sheriffs of the counties where the lands lay, which officers were commanded to give sasine to the true proprietors in their respective courts. This legal ceremony was pronounced to be as valid as if the feudal solemnity had taken place upon the lands themselves; nor was their possession by the enemy, for however long a period, to operate to the prejudice of their true proprietors.[2]

Still clinging eagerly to the hopes of peace, and well aware, from experience, of the evils of a protracted war, the parliament recommended a renewal of the negotiations on this subject, and empowered the king and his privy council to choose commissioners, and to impose a tax for the payment of their expenses, without the necessity of calling a new parliament, and obtaining its sanction to their proceedings.[3] The greater the anxiety, however, which was manifested by the Scots, the less likely was Edward to listen to their representations, or to indulge them, so long as they asserted their independence, with any hopes of a permanent peace. Two attempts at negotiation, which were made within the space of a few months, by the same commissioners who had hitherto been so unsuccessful in all their diplomatic undertakings, ended in new and more intolerable demands upon the part of Edward, and a determined refusal by the Scottish parliament to entertain them.[4] This, however, did not prevent the king and his consort from setting out on their usual visit to England. With a retinue of a hundred knights, and a numerous body of attendants, they travelled to the shrine of St Thomas of Canterbury; and, in this foolish parade of pleasure and devotion, incurred a deeper load of debt, at the very time that their poverty had become the subject of parliamentary inquiry, and when they could not venture to visit the English court without a royal protection from arrest. The sums thus idly thrown away, on their return had to be wrung out of the hard-earned profits of the commercial and labouring classes of the community, in a country already impoverished by a long war; and it is difficult to find terms sufficiently strong to reprobate such unworthy conduct upon the part of a sovereign who already owed so much to his people.

The state of Scotland, and the relations between that country and Eng-

[1] Robertson's Parl. Records, p. 108.
[2] Ibid. p. 109.
[3] Robertson's Parl. Records, p. 109.
[4] Rotuli Scotiæ, vol. i. p. 916, 28th Oct. 1367; and p. 917, 22d Jan. 1367-8. Robertson's Parliamentary Records, p. 112.

land, at the present period, were of a singular kind. There was a constant amicable correspondence between the merchants of both countries; and a commercial intercourse of unexampled activity, especially upon the part of Scotland, encouraged and protected by Edward; pilgrimages to holy shrines, emigrations of Scottish students, with almost perpetual negotiations regarding a final peace, appeared to indicate the utmost anxiety to preserve the truce, and an earnest desire that the amity should continue. But much of this was hollow. Orders to the English wardens to strengthen the castles on the marches; to summon the vassals who were bound to give suit and service; to call out the array of all able to bear arms; and repeated commands to the lords marchers to be ready to repel the enemy at a moment's warning, occurred in the midst of these pacific and commercial regulations, and gave ample proof that a spirit of determined hostility still lurked under the fairest appearances. Yet Edward, from the calamitous circumstances in which the country was placed, had a strong hold over Scotland. The king's extreme unpopularity with the people, the load of personal debt contracted by himself and his queen, and the constant irritation and jealousy with which he continued to regard the High Steward, whom he had imprisoned,[1] rendered any lengthened residence in his own dominions unpleasant; and in this manner not only did the breach between the sovereign and the barons who supported the cause of independence become every day wider, but David's anxiety to reside in England, and his unnatural desire to favour the intrigues of Edward, grew into a confirmed passion, which threatened the most fatal effects.

The nation had already been weighed down by a load of taxation which it was little able to bear; some of the strongest castles and most extensive districts on the marches were possessed by English soldiers; the northern parts of the kingdom were in actual rebellion; many of the islands in the western seas were occupied and garrisoned by the English;[2] and Edward possessed the power of cutting off the only source of Scottish wealth, by prohibiting the commercial intercourse between the two countries. We are not to wonder, then, at the sanguine hopes which this able monarch appears to have entertained of finally completing the reduction of Scotland, but rather to admire the unshaken perseverance with which, under every disadvantage, this country continued to resist, and finally to defeat, his efforts.

In a parliament held at Scone in the summer of the year 1368,[3] whose spirited rejection of the conditions of subjection and dependence proposed by Edward has been already alluded to, the rebellion of the northern parts of the kingdom, and the most effectual methods of reducing these wild districts to obedience, were anxiously considered. John of the Isles, one of the most powerful of the refractory chiefs, had married a daughter of the Steward of Scotland,[4] who was considered, therefore, as in some measure responsible for his son-in-law; and David, probably not unwilling to implicate this high officer as a disturber of the peace of the kingdom, addressed him in person, and charged him, with his sons the Lords of Kyle and Menteith, to defend his subjects within the territories over which their authority extended. It was his duty, he said, to put down the rebellion which had arisen, that in the event of war the estates of the kingdom might there have a safe place of retreat; an allusion strongly descriptive of the desperate conjuncture to which the affairs of the country were reduced.[5] John of the Isles, Gillespic Campbell, and

[1] Fordun a Goodal, vol. ii. p. 380. Chamberlains' Accounts, vol. i. p. 498. From these curious and authentic documents we learn that the expenses of the Steward's maintenance in prison for three weeks were 5 lb. 13 sh., and of his son Alexander, 21 sh. Ibid. p. 524.

[2] Robertson's Parl. Records, p. 116.
[3] Ibid. p. 112.
[4] Ibid. p. 115.
[5] Ibid. p. 112.

John of Lorn, were at the same time commanded to present themselves before the king, and to give security for their future pacific conduct, so that they and their vassals should no longer alarm and plunder the land; but, with their equals and neighbours, submit to the labours and the burdens imposed upon them by the laws.

There is something striking and melancholy in the tone of this parliament, where mention is made of the feuds amongst the nobility; and a hopelessness of relief appears in the expressions employed, evincing how far above the reach of parliamentary remonstrance or command these petty sovereigns had raised themselves. They were addressed in the language of advice and entreaty, not of command; the absolute necessity of providing for the defence of the kingdom was insisted on; and they were earnestly and somewhat quaintly admonished to compose their feuds and dissensions, or at least to satisfy themselves by disquieting each other in the common way of a process at law. The king was recommended to hold a council with the Earls of March and Douglas, the wardens of the east marches; although, it was added, these barons seemed little disposed to labour for the common weal. The chamberlain, assisted by a committee of four knights of soldierly talent and experience, was directed to visit, in the first place, the royal castles of Lochleven, Edinburgh, Stirling, and Dumbarton, and to give orders for their being completely repaired, garrisoned, victualled, and provided with warlike engines and other necessaries for defence; after which, the remaining castles in the kingdom were to be carefully surveyed, and put into a state of effectual resistance.[1]

But the strength and activity in the royal authority which was requisite to carry these wise regulations into effect were at this time pre-eminently wanting in Scotland; and, nine months after this, when the great council of the nation again assembled,[2] the rebellion in the north was still only partially extinguished. John of Lorn and Gillespic Campbell had indeed submitted, and again made their appearance among the higher nobility; whilst the Earls of Mar and of Ross, with other northern barons, alarmed at last by a sense of the public danger, joined in the deliberations for the national security, and engaged, within their territories, to administer justice, put down oppression, and assist the royal officers to the utmost of their power and ability. The Steward of Scotland, also, who attended the parliament in person with his two sons, came under the same obligation for the divisions of Athole, Strathern, Menteith, and other lands in the northern parts of the kingdom; but John of the Isles haughtily refused to submit; and, in the wild and inaccessible domains over which his authority extended, defied the royal power, and insisted that his islanders were not bound to contribute their portion to the public burdens.

The truce was now within a single year of its expiry; and many districts of the country, by the ravages of Border war, and long neglect of culture, were unable to pay the contributions, upon which its continuance could alone be secured. To prevent the misery of a famine in some places, Edward permitted the distressed inhabitants to purchase the common necessaries of life in England; and, to such a height had the dearth proceeded, that it was found necessary to import from that country, under a royal licence, the most ordinary supplies which were required for the use of David's household.[3] Yet, in the midst of this unexampled distress, it was resolved by parliament to make a last effort to discharge the remaining sum of the ransom, by imposing a tax of three pennies in the pound, to be levied generally over the kingdom; and, at the same time the Bishop of Glasgow and Sir Robert Erskine were

[1] Robertson's Parliamentary Records, pp. 112, 113. The record of this parliament, which met at Scone on the 12th June 1368, will be found in the Illustrations, letters MM.

[2] Robertson's Parliamentary Records, p. 113. 6th March 1368.

[3] Rotuli Scotiæ, vol. i. pp. 924, 930.

despatched upon a mission to England, for the purpose of negotiating a prorogation of the truce.[1]

It was at this moment, when Scotland seemed to be rapidly sinking under her accumulated distresses, that one of those events which are sent by God to alter the destiny of nations, again inspired life and hope into the country. Edward, irritated at the contempt evinced by Charles the Fifth for the treaty of Bretigny, again plunged into a war with France, in which the successes of Du Guesclin soon convinced him that a concentration of his whole strength would be absolutely required to restore his affairs on the continent to anything like their former prosperity. Peace to him became now as necessary as to the Scots; and the imperiousness of his demands experienced an immediate relaxation. There was now no longer any mention of those degrading terms of subjection and dismemberment which had been so indignantly repelled by the Scottish parliament; and the English monarch at last consented to a treaty, by which the truce between the kingdoms was renewed for the space of fourteen years.[2] Fifty-six thousand marks of the king's ransom remained still unpaid; and it was agreed that the country should annually transmit to England the sum of four thousand marks till the whole was defrayed. As to the estates in the county of Roxburgh, then in possession of English subjects, and whose inhabitants had come under the peace of the English king, it was agreed that one-half of their rents should be received by the Scottish proprietors, who had been dispossessed by the superior power of England; while the lands, with their tenantry, were to remain in the same state of fealty to Edward and his heirs in which they now were, and to be governed by the advice and consent of a council of English and Scottish subjects.[3]

Some time before affairs took this favourable turn, the condition of the northern districts, and the conduct of John of the Isles, again called for the interference of government. The Steward had engaged to reduce the disaffected districts; but, either from want of power or inclination, had failed in his attempt; and David, incensed at the continued refusal of the Islands to contribute their share in the general taxation, and assuming an unwonted energy, commanded the attendance of the Steward, with the prelates and barons of the realm; and surrounded by a formidable force, proceeded against the rebels in person. The expedition was completely successful. The rebel prince, John of the Isles, with a numerous train of those wild Highland chieftains who followed his banner, and had supported him in his attempt to throw off his dependence, met the king at Inverness, and submitted to his authority. He engaged for himself and his vassals that they should become faithful subjects to David, their liege lord; and not only give obedience to the ministers and officers of the king in suit and service, as well as in the payment of taxes and public burdens, but that they would put down all others, of whatever rank, who dared to resist the royal authority, and would either compel them to submit, or would pursue and banish them from their territories. For the fulfilment of this obligation, the Lord of the Isles not only gave his oath, under the penalty of forfeiting his whole principality if it was broken, but offered the High Steward, his father-in-law, as his security; and delivered his son Donald, his grandson Angus, and his natural son, also named Donald, as hostages for the performance of the articles of the treaty.[4]

[1] Robertson's Parl. Records, p. 114. Rotuli Scotiæ, vol. i. p. 928. 6th April 1369.

[2] Robertson's Parl. Records, p. 116. From Feb. 2 to Aug. 24, or Purification of the Virgin, 1369; and from that date for fourteen years.

[3] Ibid. p. 116. The letter of the prelates and barons of Scotland containing the condition of the truce is not dated; but it seems to have been written a few days before the 1st of August 1369. See Rotuli Scotiæ, vol. i. p. 934.

[4] Robertson's Parl. Records, p. 115. The submission of John of the Isles, dated the 15th of November 1369, will be found printed in the Illustrations, letters NN.

It is stated by an ancient historian, that in reducing within the pale of regular government the wild Scots and the islanders, who had long resisted all authority, David employed artifice, as well as force, by holding out high premiums to all those who succeeded either in slaying or making captive their brother chiefs. In a short time, the expectation of reward and the thirst for power implanted the seeds of disunion amongst these rebel chiefs, and they gradually wrought out their own destruction; so that, the leaders of the rebellion being cut off, their dominions were easily reduced into a state of quiet and subjection.[1]

Soon after the king's return from an expedition which he had undertaken in the depth of winter, and conducted with great ability and success, a parliament was assembled at Perth for the purpose of taking into consideration the state of the kingdom, the expenses of the royal household, and the administration of justice. In the parliament which had been held at Scone in the preceding year,[2] an expedient had been adopted, apparently for the first time, by which part of the community of estates were allowed to absent themselves, after they had chosen certain persons amongst the prelates and barons, who might deliver judgment in the pleas of law, and consult upon the general business of the nation. In this parliament the same measure was repeated with greater formality and distinctness. A committee, consisting of six of the clergy, amongst whom were the Bishop of Brechin, the Chancellor, and the Chamberlain John de Carrie, fourteen of the barons, and seven of the burgesses, was appointed to deliberate, and gave their judgment, upon all such judicial questions and complaints as necessarily came before the parliament. To a second committee, including in its numbers the clergy and the barons alone, was intrusted the management of some special and secret matters regarding the king and the nation, which it was not deemed expedient, in the first instance, to communicate to the parliament at large. This was a dangerous and somewhat despotic innovation upon the freedom of the great council of the nation; and had the change been introduced earlier in the present reign it would have placed an instrument in the hands of the king, and the corrupted part of the nobility, which might have been directed with fatal success against the independence of the country. This second committee consisted of six of the clergy and eleven of the barons, with such other members as the king chose to select; and it was ordained that no person whatever, however high his rank, should be permitted to introduce into the council of parliament, or the privy council, any member as his adviser or assessor, unless such as had been chosen by the general vote of the parliament.

The necessity of this secrecy as to the affairs which came before the committee intrusted with the consideration of the king's debts was soon apparent; and the object of excluding the representatives of the royal burghs could not be mistaken. It was declared that all the debts of the king, throughout the realm, which had been contracted up to the period of the Exchequer Court, held at Perth, at the Epiphany, in the year 1368, were remitted and cancelled; that from this date, whatever was borrowed for the ransom or the royal expenses should be promptly paid, and that no customs should be levied by the king's officers for the aid of the crown but according to the ancient and established practice of the realm. In this manner, by the very first public act of this partial and unconstitutional committee, were the great principles of good faith wantonly sacrificed; and the rights of the mercantile classes, who had advanced their money or sold their goods for the royal use, trampled upon and outraged by an act which was as mean as it was unjust.

In the next place, an attempt was made, in consequence of the northern

[1] Fordun a Goodal, vol. ii. p. 380.
[2] Robertson's Parliamentary Records, p. 113.

parts of the kingdom having been reduced, under the king's authority, to equalise the taxation over the whole country. To pacify the dangerous murmurs of the Lowland districts, which produced wool, and paid on every sack a heavy tax to the crown, it was determined that in those upper counties where this tax was not collected sheep not having been introduced,[1] but which abounded in agricultural produce, the chamberlain should either levy an annual tax upon the crops and farm-stocking, for support of the king's household, or that the king, at certain seasons, should remove his court to these Highland districts, and, during his residence there, assess them for his support. The extensive estates, or rather dominions, of John of Lorn, John of the Isles, and Gillespic Campbell, with the territories of Kantire, Knapdale, and Arran, were the lands where the new regulation was enforced.

It was ordained in the same parliament that no native subject or foreigner, of whatever rank he might be, should export money, either of gold or silver, out of the country, always excepting such sums as were necessary for the travelling expenses of those who had been permitted to leave the realm, unless he paid forty pennies upon every pound to the exchequer; and with regard to those who made a trade of purchasing horses, cows, or other animals for exportation, they were commanded to pay a duty of forty pence upon every pound of the price of the horse, and twelve pence upon the price of all other animals. In the event of any contravention of the regulations as to the export of the coin, the delinquent was to be fined twenty shillings upon every penny of the duty which he had eluded; a strict investigation was ordained to be made of all such offenders, in order that the quantity of coin carried out of the kingdom might be accurately determined; and they were directed to be tried by indictment before the Justiciar.

As grievous complaints had proceeded from every county in the kingdom against the extortion of the mairs, sergeants, and other officers of the crown, and such accusations had even been made to the king in person, it was judged expedient to adopt some decided measures against this evil. Accordingly, orders were given to the justiciars and chamberlains, in their several counties, to cause all persons who, since the period of the king's captivity, had enjoyed these offices, to appear before them on a certain day, previous to the conclusion of the present parliament, when an investigation was to be made, before the three estates, of the exact amount of the loss which the king had sustained by their malversation. All who were in this manner detected were ordered to be imprisoned, and to lose their offices for the whole period of their lives.[2] The justiciars, sheriffs, and other inferior judges were strictly commanded not to give execution to any mandate under any seal whatever, not excepting the great or the privy seal, if such mandate were contrary to the law of the realm; and the merchants and burgesses were enjoined not to leave the kingdom without licence from the king or the chamberlain.

Such were the only important regulations which were passed in this parliament, the last held by David the Second.[3] The same year was rendered remarkable by the divorce of the queen; an incident of which the private history is involved in much obscurity. She was beautiful, and apparently fond of admiration. The little we know of her private life proves her to have been expensive, and addicted to costly pilgrimages, in which she was accompanied with a retinue of knights and attendants; expeditions, in those times, sometimes undertaken for the purposes of pleasure rather than devo-

[1] Robertson's Parliamentary Records, pp. 109, 113. The exemption in favour of "white sheep" in the taxation by the parliament of 20th July 1366 (Robertson's Parliamentary Records, p. 105,) was intended, probably, as an encouragement to the introduction of a new breed.

[2] Robertson's Parliamentary Records, pp. 117, 118.

[3] 18th February 1369.

tion. She appears, also, to have been ambitious to interfere in the public affairs of the kingdom; and we have seen that, not long before this, her influence persuaded the king to cast the Steward and his sons into prison. Nothing, however, can be more dark or unsatisfactory than the only notice of this singular event which remains to us; and, unfortunately, the public records throw no light upon the transaction. The sentence of divorce was pronounced in Lent; but the queen, collecting all her wealth, found means to convey herself and her treasure, with great privacy, on board a vessel in the Forth, in which she sailed for France; and carried her appeal in person to the Papal Court then at Avignon. She there obtained a favourable hearing; nor was the king, who sent his envoys for the purpose to the court of the Pope, able to counteract the impression in her favour. The cause disturbed the kingdom; and was so bitterly contested, that an interdict began to be threatened; when the fair appellant died herself, on her journey to Rome.[1] What became of the process, or what judgment was ultimately pronounced, cannot now be discovered; but, so late as the year 1374, Robert the Second considered the cause of such moment that he despatched an embassy to Charles the Fifth of France, soliciting that prince to use his influence with the Pope and cardinals to obtain a judgment.[2]

Immediately after the divorce, the High Steward and his sons were liberated from prison, and restored to favour; while the king, whose life had been devoted to pleasure, began to think of his sins, and, in the spirit of the age, to meditate an expedition to the Holy Land. For this purpose, he assembled at his court the bravest knights of his time, declaring it to be his intention to appoint a regency, and depart for Palestine, with the purpose of spending the remainder of his life in war against the infidels. But, in the midst of these dreams of chivalrous devotion a mortal illness seized upon him, which baffled all human skill; and he died in the castle of Edinburgh, on the 22d of February 1370, in the forty-seventh year of his age, and the forty-first of his reign.

It is painful to dwell on the character of this prince, who was, in every respect, unworthy of his illustrious father. It happened, indeed, unfortunately for him, that he was promoted to the throne when almost an infant; and not only lost the advantage of paternal instruction and example, but, by the early death of Douglas and Randolph, was deprived of the only persons who might have supplied the want; whilst his long exile in France, and a captivity of eleven years, rendered him almost a stranger to his people. Had there, however, been anything great or excellent in David Bruce, he would have surmounted these disadvantages: yet we look in vain for a noble, or even a commendable, quality; whilst the darker parts of his disposition are prominently marked. He was uniformly actuated by a regard to his own selfish pleasures, and a reckless forgetfulness of all those sacred and important duties which a king owes to his people. His understanding was one of limited and moderate power; and, while he formed his opinions upon hasty and superficial views, he was both obstinate in adhering to them when evidently erroneous, and capricious in abandoning them before they were proved to be ill-founded. The battle of Durham, his captivity, and the long train of calamities which it entailed upon the nation till the conclusion of his reign, were the fruits of his obstinacy: the inconsistent wavering and contradictory line of policy, which is so strikingly discernible in his mode of government after his return, was the effect of his passion and caprice. Personal courage he undoubtedly possessed. It was the solitary

1 Fordun a Goodal, vol. ii. p. 380.

2 Robertson's Index to the Charters, p. 100, No. 4. When at Avignon, Margaret Logy borrowed 500 marks from three English merchants, one of whom was William of Walworth: in all probability the same person who afterwards became Mayor of London, and stabbed Wat Tyler. Fœdera, vol. vi. p. 727. She is mentioned as the quondam Queen of Scotland in the Chamberlains' Accounts, vol. i. p. 521.

quality which he inherited from his father; and of this he gave a memorable proof, in his proposal to alter the order of succession in favour of an English prince,—a measure of singular baseness and audacity.

It is this that forms the darkest blot upon his memory. His love of pleasure, and devotion to beauty, will find an excuse in many hearts; his extravagance some may call kingly, even when supported by borrowed money: but it can never be palliated or forgotten that he was ready to sacrifice the independence of the kingdom to the love of his personal liberty, and his animosity against the Steward; that the most solemn oaths, by which he was bound to his people, were lightly regarded, when brought in competition with these selfish and sordid passions. Such a monarch as this, who, at the mature age of forty-seven, evinced no real symptoms of amendment, was little likely to improve in his latter years; and it is humiliating to think that the early death of the only son of Robert the Bruce must have been regarded as a blessing, rather than a calamity, by his country.

AN HISTORICAL INQUIRY

INTO

THE ANCIENT STATE OF SCOTLAND:

EMBRACING PRINCIPALLY THE PERIOD

FROM THE ACCESSION OF ALEXANDER THE THIRD
TO THE DEATH OF DAVID THE SECOND.

HAVING brought this work down to the great era of the accession of the house of Stewart, in the occupation of the throne by Robert the Second, I propose to pause for a short time, in order to cast our eye over the wide field through which we have travelled, and to mark, as fully as our imperfect materials will permit, the progress of the nation in some of those great subjects which form the body of its civil history. The general features and appearance of the country; its agriculture, commerce, and manufactures; the manners and amusements, the superstitions and character of the people; the system of feudal government under which they lived; their progress in the arts, which add comfort, or security, or ornament to life; the character of their literature,—are subjects upon which our curiosity is naturally active and eager for information; but it is unfortunate that the writers who can alone be considered as authentic have regarded such investigations as either uninteresting, or beneath the dignity of the works in which they had engaged. Some lights, however, are to be found scattered through their works, or reflected from the public muniments and records of the times; and it is to the guidance of these alone, however feeble and imperfect, that the historian can commit himself.

It must necessarily happen that, in an attempt of this kind, owing to the

paucity of materials, and to the extreme remoteness of the period, anything like a full account of the country is unattainable; and that it is exceedingly difficult to throw together, under any system of lucid arrangement, the insulated facts which have been collected. I have adopted that order which appears the most natural.

SECTION I.

GENERAL APPEARANCE OF THE COUNTRY.

We must be careful not to permit the ideas which are derived from the condition of Scotland in the present day to influence our conclusions as to its appearance in those rude and early ages of which we have been writing. No two pictures could be more dissimilar than Scotland in the thirteenth and fourteenth, and Scotland in the nineteenth century. The mountains, indeed, and the rivers are stern and indomitable features of nature, upon which the hand of man can work but feeble alterations; yet, with this exception, everything was different. The face of the country was covered by immense forests, chiefly of oak, in the midst of which, upon the precipitous banks of rivers, or on rocks which formed a natural fortification, and were deemed impregnable to the military art of that period, were placed the castles of the feudal barons. One principal source of the wealth of the proprietors of these extensive forests consisted in the timber which they contained, and the deer and other animals of the chase with which they abounded. When Edward I. subdued and overran the country, we find him in the practice of repaying the services of those who submitted to his authority, by presents of so many stags and oaks from the forests which he found in possession of the crown. Thus, on the 18th of August 1291, the king directed the keeper of the forest of Selkirk to deliver thirty stags to the Archbishop of St Andrews; twenty stags and sixty oaks to the Bishop of Glasgow; ten to the High Steward; and six to Brother Bryan, Preceptor of the Order of Knights Templars in Scotland.[1]

To mark the names, or define the exact limits of these huge woods, is now impossible; yet, from the public records, and the incidental notices of authentic historians, a few scattered facts may be collected.

In the north, we find the forest of Spey,[2] extending along the banks of that majestic river; the forests of Alnete, and of Tarnaway, of Awne, Kilblene, Langmergan, and of Elgin, Forres, Lochendorb, and Inverness.[3] The extensive county of Aberdeen appears to have been covered with wood. We meet there with the forests of Kintore, of Cardenache, Drum or Drome, Stocket, Killanell, Sanquhar, Tulloch, Gasgow, Darrus, Collyn, and what is called the New Forest of Innerpeffer.[4] In Banff was the forest of Boyne; in Kincardine and Forfar the forests of Alyth, Drymie, and Plater;[5] in Fife, those of Cardenie and Uweth;[6] in Ayrshire, the forest of Senecastre;[7] in the Lowlands, those of Drumselch,[8] near Edinburgh; of Jedburgh and Selkirk, Cottenshope, Maidesley,[9] Ettrick, and Peebles; of Dolar, Traquhair, and Melrose.[10]

The counties of Stirling and Clackmannan contained extensive royal forests, in which, by a grant from

[1] Rotuli Scotiæ, vol. i. pp. 4, 5. 18th Aug. 1291.

[2] Ibid. vol. i. p. 5. Anno 1291, m. 11.

[3] Ibid. p. 9. Robertson's Index to the Charters, pp. 32, 35, 42. Rolls of Parliament, ii. 469, quoted in Caledonia, vol. i. p. 792. Fordun a Hearne, p. 1027.

[4] Robertson, pp. 23, 33, 38, 58, 71, 72; also Rotuli Scotiæ, in anno 1292, p. 10. Chamberlains' Accounts. Compot. Vicecomitatis Aberdein, p. 298.

[5] Robertson's Index, pp. 39, 55, 67; and Rotuli Scotiæ, p. 8.

[6] Robertson, p. 47. Cartulary Dunferm. f. 12 and 20.

[7] Cartulary of Paisley, p. 46, in Caledonia, vol. i. p. 793.

[8] Caledonia, vol. i. p. 793.

[9] Chamberlains' Accounts. Rotuli Comp. Temp. Custod. Regni, p. 62.

[10] Rotuli Scotiæ, in anno 1296, vol. i. p. 33. Ibid. pp. 5, 278, 380. Ibid. p. 748. Cartulary of Dunferm. p. 10. Rotuli Scotiæ, p. 7; and Fordun, p. 1048. Robertson, p. 81. Chron. Melrose, ad anno 1184, quoted in Dalzel's Fragments, p. 32. Cartulary of Kelso, p. 323. Caledonia, p. 798.

David I., the monks of Holyrood had the right of cutting wood for building and other purposes, and of pasture for their swine.[1] In the reign of the same king, a forest covered the district between the Leader and the Gala; and in Perthshire, occupied the lands between Scone and Cargil.[2] Tracts which, in the present day, are stretched out into an interminable extent of desolate moor, or occupied by endless miles of barren peat-hags, were, in those early ages, covered by forests of oak, ash, beech, and other hard timber. Huge knotted trunks of black oak, the remains of these primitive woods, have been, and are still, discovered in almost every moor in Scotland. Such, indeed, was, at an early period, the extent and impervious nature of these woods, that the English, in their invasions, endeavoured to clear the country by fire and by the hatchet; and Knighton relates that in an expedition of the Duke of Lancaster into this country, in the reign of Richard the Second, this prince, having recourse to these methods, employed in the work of destruction so immense a multitude, that the stroke of eighty thousand hatchets might be heard resounding through the forests, whilst the fire was blazing and consuming them at the same moment.[3] So erroneous is the opinion of a conjectural historian, who pronounces that there is little reason to think that in any age, of which an accurate remembrance is preserved, this kingdom was ever more woody than it is now.[4]

In the times of which we write, however, many districts in the midst of these forests had been cleared of the wood, and brought under cultivation. Thus, in the forest of Plater, in the county of Forfar, David the Second, in 1366, made a grant of four oxgangs of arable land for a reddendo of a pair of white gloves, or two silver pennies, to Murdoch del Rhynd.[5] In the same forest, the monks of Restennet, at the death of Alexander the Third, enjoyed the tenth of the hay made in its meadows,[6] and in 1362, the king permitted John Hay of Tullyboll to bring into cultivation, and appropriate, the whole district lying between the river Spey and the burn of Tynot, in the forest of Awne.[7] From these facts it may be inferred that the same process of clearing away the wood, and reducing large districts of the forests into fields and meadow lands, had been generally pursued throughout the country.[8] It was a work, in some measure, both of peril and necessity; for savage animals abounded as much in Scotland as in the other uncleared and wooded regions of northern Europe; and the bear, the wolf, the wild boar, and the bison, to the husbandmen and cultivators of those rude ages, must have been enemies of a destructive and formidable nature.[9]

Another striking feature in the aspect of the country during those early ages was formed by the marshes or fens. Where the mountains sunk down into the plain, and the country stretched itself into a level, mossy fens of great extent occupied those fertile and beautiful districts which are now drained and brought under cultivation.[10] Within the inaccessible windings of these morasses, which were intersected by roads known only to the inhabitants, Wallace and Bruce, during the long war of liberty, frequently defended themselves, and defied the heavy-armed English cavalry; and it is said that from lying out amidst these damp and unhealthy exhalations Bruce caught the disease of which he died.[11]

[1] Caledonia, vol. i. p. 792.

[2] Cart. Melrose, p. 104. Cart. of Scone, p. 16. Where I quote manuscript Cartularies, the reader will find the originals in the Library of the Faculty of Advocates, Edinburgh, unless some other collection is mentioned.

[3] Knighton apud Twysden, vol. ii. p. 2674. Barbour's Bruce, p. 323.

[4] Wallace on the Nature and Descent of Peerages, p. 35.

[5] Robertson's Index, p. 81.

[6] MS. Monast. Scotiæ, p. 31, quoted in Caledonia, vol. i. p. 798.

[7] Robertson's Index, p. 71.

[8] Chamberlains' Accounts. Rotuli Compot. Temp. Cust. Regni, p. 63.

[9] Dalyel's Desultory Reflections on the State of Ancient Scotland, pp. 32, 33.

[10] Triveti Annales, p. 316.

[11] Palgrave's Parliamentary Writs, Chronological Abstract, p. 76. Walsingham, p. 78. Barbour, pp. 110, 151. Trivet, 346.

The royal castles must have presented an additional and imposing feature in the external appearance of the country at this period. Built chiefly for strength and resistance during a time of war, these fortresses were the great garrisons of the country, and reared their immense walls and formidable towers and buttresses in those situations which nature had herself fortified, and where little was to be done by man but to avail himself of the power already placed in his hand. In the year 1292, when Edward, after his judgment in favour of Baliol, gave directions to his English captains to deliver the royal castles into the hands of the new king, we find these to have been twenty-three in number. On the borders were the castles of Jedburgh, Roxburgh, and Berwick; those of Dumfries, Kirkcudbright, Wigtown, Ayr, Tarbet,[1] Dumbarton, and Stirling, formed a semicircle of fortresses which commanded the important districts of Annandale, Galloway, Carrick, Kyle, Lanark, and the country round Stirling, containing the passes into the Highlands. Between Stirling, Perth, and the Tay there was no royal castle, till we reach Dundee, where Brian Fitz-Alan commanded; after which the castles of Forfar, Kincardine, and Aberdeen, protected and kept under the counties of Perth, Angus, Kincardine, and Aberdeen; and travelling still further north, we find the castles of Cromarty or Crumbarthyn, Dingwall, Inverness, Nairn, Forres, Elgin, and Banff, which, when well garrisoned, were deemed sufficient to maintain the royal authority in those remote and unsettled districts.[2]

Such were the royal castles of Scotland previous to the war of liberty; but it was the policy of Bruce, as we have seen, to raze the fortresses of the kingdom, wherever they fell under his power; whilst, on the other hand, Edward, in his various campaigns, found it necessary to follow the same plan which had been so successful in Wales, and either to construct additional fortresses, for the purpose of overawing the country, or to strengthen by new fortifications such baronial castles as he imagined best situated for his design. In this manner the architecture of the strong Norman castles, which had already been partially introduced by the Scoto-Norman barons, was more effectually taught by their formidable enemy to the Scots, who profited by the lesson, and turned it against himself. It not unfrequently happened that the siege of a baronial castle detained the whole English army for weeks, and even months, before it; and although feebly garrisoned, the single strength of its walls sometimes resisted and defied the efforts of Edward's strongest machines and most skilful engineers. To enumerate or to point out the situation of the baronial castles which at this early period formed the residences of the feudal nobility and their vassals would be almost impossible. They raised their formidable towers in every part of the kingdom, on its coasts and in its islands, on its peninsulas and in its lakes, upon the banks of its rivers, and on the crests of its mountains; and many of those inhabited by the higher nobility rivalled, and in their strength and extent sometimes surpassed, the fortresses belonging to the king.[3]

In the year 1309, when the military talents of Bruce had wrested from England nearly the whole of the royal castles, we find Edward the Second writing earnestly to his principal officers in Scotland, directing them to maintain their ground to the last extremity against the enemy; and it is singular that, with the exception of Edinburgh, Stirling, Dumfries, and Jedburgh, the posts which they held, and which are enumerated in his order, are all of them private baronial castles, whose proprietors had either been compelled by superior force, or induced by selfish considerations, to

[1] Chamberlains' Accounts, p. 9.
[2] Rotuli Scotiæ, vol. i. pp. 11, 12.

[3] Fordun, in speaking of the death of Edward the First, asserts that within six years of that event Bruce had taken and cast down a hundred and thirty-seven castles, fortalices, and towers. Fordun a Goodal, vol. ii. p. 240,

embrace the English interest. In his letters are mentioned the castle of Kirkintilloch, between Dumbarton and Stirling; Dalswinton in Galloway, a principal seat of the Comyns; Caerlaverock, belonging to the Maxwells; Thrieve castle, also in Galloway; Lochmaben in Annandale, the seat of the Bruces; Butel, the property of the Steward; Dunbar, a castle of great strength and extent, one of the keys of the kingdom, by which the Earls of March commanded so much influence in an age of war and invasion; Dirleton, also of great extent, and possessed by the Norman race of the De Vaux; Selkirk, at that time in the hands of Aymer de Valence, earl of Pembroke; and Bothwell, a castle at various times the property of the Olifards, Morays, and Douglases.[1] Innumerable other castles and smaller strengths, from the seats of the highest earls, whose power was almost kingly, down to the single towers of the retainer or vassal, with their low iron-ribbed door, and loop-holed windows, were scattered over every district in Scotland; and even in the present day the traveller cannot explore the most unfrequented scenes, and the remotest glens of the country, without meeting some gray relic of other days, reminding him that the chain of feudal despotism had there planted one of its thousand links, and around which there often linger those fine traditions, where fiction has lent her romantic colours to history.

In the vicinity of these strongholds, in which the Scottish barons of the thirteenth and fourteenth centuries held their residence, there was cleared from wood as much ground as was necessary for the support of that numerous train of vassals and retainers which formed what was termed the "following" of their lord, and who were supported in a style of rude and abundant hospitality. The produce of his fields and forests, his huge herds of swine, his flocks and cattle, his granaries and breweries, his mills and malting-houses, his dovecots, gardens, orchards, and "*infield and outfield*" wealth, all lent their riches to maintain those formidable bands of warlike knights and vassals, who were ready on every summons to surround the banner of their lord. Around these castles, also, were placed the rude habitations and cottages belonging to the servants and inferior dependants of the baron, to his armourers, tailors, wrights, masons, falconers, forest-keepers, and many others, who ministered to his necessities, his comforts, or his pleasures. It happened, too, not unfrequently, that, ambitious of the security which the vicinity of a feudal castle insured, the free farmers or opulent tradesmen of those remote times requested permission to build their habitations and booths near its walls, which, for payment of a small rent, was willingly allowed; and we shall afterwards have occasion to remark that to this practice we perhaps owe the origin of our towns and royal burghs in Scotland. It appears, also, from the authentic evidence of the Cartularies, that at this period, upon the large feudal estates belonging to the nobles or to the Church, were to be found small villages, or collections of hamlets and cottages, termed *Villæ* in the charters of the times, annexed to which was a district of land called a *Territorium*.[2] This was cultivated in various proportions by the higher ranks of the husbandmen, who possessed it, either in part or in whole, as their own property, which they held by lease, and for which they paid a rent,[3] or by the villeyns and cottars, who were themselves, in frequent instances, as we shall immediately see, the property of the lord of the soil. Thus, by a similar process, which we find took place in England under the Normans, and which is clearly to be traced in Domesday Book, the greater feudal barons were possessed not only of immense estates, embracing within them field and forest, river, lake, and mountain, but of numerous and

[1] Rotuli Scotiæ, vol. i. p. 80. Olifard, the same name, I conjecture, as Oliphant.

[2] MS. Cartulary of Melrose, pp. 21, 22. Cartulary of Kelso, pp. 254, 255.

[3] Cartulary of Kelso, p. 257, in 1258. Ibid. pp. 312, 317.

flourishing villages,[1] for which they received a regular rent, and of whose wealth and gains they always held a share, because they were frequently the masters of the persons and property of the tradesmen and villeyns, by whom such early communities were inhabited. In these villages the larger divisions, under the names of *carucates, bovates,* or *oxgates,* were cultivated by the husbandmen and the cottars under them; while, for their own maintenance, each of these poor labourers was the master of a cottage with a small piece of ground, for which he paid a trifling rent to the lord of the soil.[2]

It happened not unfrequently that the high ecclesiastics, or the convents and religious houses, were the proprietors of villages, from whose population there was not exacted the same strict routine of military service which was due by the vassals of the temporal barons; and the consequences of this exemption were seen in the happier and more improved condition of their husbandmen and villeyns, and in the richer cultivation of their ample territories. A great portion of the district attached to these villages was divided into pasture-land and woodland, in which a right of pasturage, for a certain number of animals, belonged to each of the villagers or husbandmen in common. It is from the information conveyed in the Cartularies that the condition of these early villages is principally to be discovered.[3]

Thus, for example, in the village of Bolden, in Roxburghshire, which belonged to the monks of Kelso, in the latter part of the reign of Alexander the Third, there were twenty-eight husbandmen, who possessed each a husbandland, with common pasture; for which he paid a rent of half a mark, or six shillings and eightpence, besides various services which were due to the landlord. There were, in the same village, thirty-six cottagers, each of whom held nearly half an acre of arable land, with a right of common pasture. The united rent paid by the whole cottagers amounted to fifty-five shillings; in addition to which, they were bound to perform certain services in labour. To the village there was attached a mill, which gave a rent of eight marks; and four brew-houses, each of them let for ten shillings, with an obligation to sell their ale to the abbot at the rate of a lagen and a half for a penny.[4] These villages, of course, varied much in extent, in the number of their mansions, and the fertility of their lands; whilst the greater security, resulting from the increasing numbers and the wealth of the inhabitants, became an inducement for many new settlers from different parts to join the community, and plant themselves under the protection of the lord of the soil. This emigration, however, of the cottars or villeyns from one part of the country or from one village to another, could not be legally effected without the express consent of the master to whom they belonged. A fact of which we shall be convinced when we come to consider the condition of the great body of the people in those early ages.

To one casting his eye over Scotland as it existed during the thirteenth and fourteenth centuries, the numerous religious establishments, the cathedrals, convents, monasteries, and episcopal palaces, must have formed another striking feature in the external aspect of the country. Situated always in the richest, and not unfrequently in the most picturesque spots, and built in that imposing style of architecture, which is one of the greatest triumphs of the Middle Ages, these structures reared their holy spires and towers in

[1] Henshall's Specimens and Parts of a History of South Britain, p. 64. In the small part of this valuable work which has been published, and which it is much to be regretted was discontinued by the author from want of encouragement, a clear and authentic view is given of the state of England under the Normans, founded on an accurate examination of the original record of Domesday Book.

[2] Cartulary of Kelso, p. 477. In the same MS. there is a Donation, in 1307, by Nicholas dictus Moyses de Bondington, "Cotagii cum orto quod Tyock Uxor Andree quondam tenerit de me in villa de Bondington."

[3] Rotulus Redditauum Monasterii de Kalchow. Cartulary of Kelso, p. 475.

[4] Cartulary of Kelso, pp. 478, 479. See Illustrations, letters OO.

almost every district through which you travelled; and your approach to them could commonly be traced by the high agricultural improvements which they spread around them. The woods, enclosed and protected, were of loftier growth; the meadows and cornfields richer and better cultivated; the population inhabiting the church-lands more active, thriving, and industrious than in the lands belonging to the crown or to the feudal nobility.

To give any correct idea of the number or the opulence of the various episcopal and conventual establishments which were to be found in Scotland at this remote era, would require a more lengthened discussion than our present limits will allow. Besides the bishoprics, with their cathedral churches, their episcopal palaces, and the residences of the minor clergy which were attached to them, our early monarchs and higher nobility, in the devotional spirit of the age, encouraged those various orders of regular and secular churchmen which then existed in Europe. The Canons Regular of St Augustine, who were invited into Scotland by Alexander the First, and highly favoured by David, had not less than twenty-eight monasteries; the Cistertians or Bernardine Monks, who were also warmly patronised by David, possessed thirteen; and the Dominican or Black Friars, fifteen monasteries, in various parts of the country. Although these orders were the most frequent, yet numerous other divisions of canons, monks, and friars obtained an early settlement in Scotland, and erected for themselves in many places those noble abbacies, priories, or convents, whose ruins at the present day are so full of picturesque beauty and interesting associations. The Red Friars, an order originally instituted by St John of Matha and Felix de Valois for the redemption of Christian slaves from the Infidels, possessed nine monasteries; the Præmonstratensian Monks, who boasted that the rule which they followed was delivered to them in a vision by St Augustine, and written in golden letters, were highly favoured by David the First, Alexander the Second, and Fergus, lord of Galloway. The Tyronensian and Clunacensian Monks, the Templars, the Franciscans, and the Carmelites had all of them establishments in Scotland; whilst the Augustinian, the Benedictine, and the Cistertian Nuns were possessed of numerous rich and noble convents; which, along with the hospitals, erected by the wide-spread charity of the Catholic Church, for the entertainment of pilgrims and strangers, and the cure and support of the sick and infirm, complete the catalogue of the religious establishments of Scotland during the thirteenth and fourteenth centuries.[1]

Although covered in many places with vast and impenetrable woods and marshes, the country around the monasteries and religious houses adjoining to the castles of the nobles, and to the great towns, royal burghs, and villages, appears in the reign of Alexander the Third to have been in a state of considerable cultivation. Even during the wars of the three Edwards, when we take into view the dreadful disadvantages against which it had to struggle, the agriculture of Scotland was respectable.

The Scottish kings possessed royal manors in almost every shire, which were cultivated by their own free tenants and their villeyns; and to which, for the purpose of gathering the rents, and consuming the agricultural produce, they were in the custom of repairing, in their progresses through the kingdom. This fact is established by the evidence of the Cartularies, which contain frequent grants, by David the First, William the Lion, and the two Alexanders, to the convents and religious houses, of various kinds of agricultural produce to be drawn from the royal manors; and the same truth is as conclusively made out by the original accounts of the Great Chamberlains of Scotland.[2]

[1] Account of the Religious Houses in Scotland. Keith's Catalogue of the Scottish Bishops, p. 235.

[2] Of these accounts, which contain a body of information upon the civil history of Scotland, unrivalled in authenticity, and of high

David, for example, granted to the monks of Scone the half of the skins and the fat of all the beasts which were killed for the king's use on his lands to the north of the Tay; and the half of the skins and hides of all the beasts slain upon festival days, at Stirling, and on his manors between the Forth and the Tay.[1] Innumerable charters, by his successors, to the various monasteries and religious houses in the kingdom, evince the generosity or superstition of our monarchs, and the extent of their royal demesnes. Scarcely less numerous, and upon a scale not greatly inferior to those of the king, were the extensive feudal estates belonging to the religious houses, to dignified clergy, and to the magnates, or higher barons of Scotland; who granted charters of lands to their own military vassals and retainers, or by leases, to other more pacific tenants, upon whom they devolved the agricultural improvement of their domains. Thus, for example, we find, in the Cartulary of Kelso, that the monks of this rich religious house granted to the men of Innerwick, in the year 1190, a thirty-three years' lease of certain woods and lands, for the annual rent of twenty shillings; which was approved of by Alan, the son of Walter, the Steward, to whom the men of Innerwick belonged.[2]

The clergy, whose domains, chiefly from the liberal and frequent endowments of David the First, and his successors, were at this period amazingly rich and extensive, repaid this profusion, by becoming the great agricultural improvers of the country. From them those leases principally proceeded, which had the most beneficial effect in clearing it from wood. and bringing it under tillage. In 1326 the Abbot of Scone granted a lease for life of his lands of Girsmerland to Andrew de Strivelyn. Henry Whitwell received from the Abbot of Kelso a lease for life of all the lands belonging to this monastery in the parish of Dumfries, for which the yearly rent was twelve shillings; and numerous other instances might be brought forward. It was in this manner that there was gradually introduced and encouraged in the country a body of useful improvers, who were permitted, from the pacific character of their landlords, to devote their time more exclusively to agricultural improvement than the vassals or tenants of the barons.[3]

The system of agriculture pursued at this early period must have been exceedingly rude and simple in its details; and although it is difficult to point out the exact mode of cultivation, yet some information with regard to its general character, and the crops then raised in the country, may be found in the scattered notices of contemporary historians, and in the records and muniments of the times. Oats, wheat, barley, pease and beans were all raised in tolerable abundance. Of these by far the most prevalent crop was oats. It furnished the bread of the lower classes; and the ale which they drank was brewed from malt made of this grain. In the innumerable mills which are mentioned in the Cartularies, great quantities of oats were ground into meal; and at the various malt-kilns and breweries which we find attached throughout the same records to the hamlets and villages, equally large proportions of oats were reduced into malt and brewed into ale. In the Wardrobe Accounts of Edward the First for the years 1299 and 1300, large quantities of oat malt, furnished to his different garrisons in Scotland, form some of the principal items of expenditure. In the same interesting and authentic record we find that Edward's cavalry in their return from Galloway, in September 1300, destroyed in their march through the fields eighty acres of oats upon the property of William de Carlisle, at Dornock, in compensation for which the king allowed him two butts of wine.[4] It appears in the same series

interest, a short notice will be found in the Illustrations, letters CC.

[1] Cartulary of Scone, pp. 2, 6, 8.

[2] Cartulary of Kelso, p. 247. Caledonia, vol. i. p. 794.

[3] Cartulary of Scone, p. 32. Cartulary of Kelso, p. 329. Chamberlains' Accounts, vol. i. pp. 5, 12, 22. Cartulary of Inchcolm, p. 31.

[4] Liber Cotidianus Garderobæ Edwardi I., p. 126.

of accounts that Edward bought his oats, and oat malt to be brewed for the army, at various rates, extending from twenty pence to three shillings per quarter. From the multitudes of brew-houses with which every division of the kingdom appears to have been studded, from the royal manufactories of ale down to those in the towns, burghs, baronies, and villages, it is evident that this beverage must have been consumed in great quantities.

Although oats was the principal grain raised in Scotland, yet wheat was also cultivated to a considerable extent, chiefly by the higher orders: throughout the south and east districts of the country, wheaten bread was principally used at their tables; and the quantities of this grain which the Cartularies shew to have been ground in the mills evince the consumption to have been considerable. When Edward, in the year 1300, invaded Galloway, we find, by the Wardrobe Account of that period, that he purchased large quantities of wheat, which was exported from Kirkcudbright to Whitehaven and other ports in Cumberland. It was there ground, and the flour sent back to supply the English garrisons in Galloway and Ayr. In the Wardrobe Account of the same monarch for the year 1299, it is stated that unground pease, for the use of the English garrisons, were furnished at the rate of two shillings and ninepence, and beans for the horses at four shillings and sixpence the quarter. In addition to these crops, extensive districts of rich natural meadow, with the green sward which clothed the forest glades, furnished grass, which was made into hay, and with all other agricultural produce, paid its tithe to the clergy. The fields, the mountain grazings, and the forests, were amply stocked with cows, sheep, and large herds of swine,[1] which fed on the beech mast. These last formed the staple animal food of the lower classes; for even the poor bondman or cottager seems to have generally possessed, in the territorium of the village where he lived, a right of common pasture for a sow and her pigs.

Another important part of the stocking of the farms and the forests of those times consisted in the numerous horses which were reared by their baronial proprietors. We learn from the Cartularies that great care was bestowed upon this interesting branch of rural economy. Many of the nobles had breeding studs upon their estates;[2] and in the forests large herds of brood mares, surrounded by their grown-up progeny, and with their young foals at their feet, ran wild, and produced a hardy and excellent stock of little horses, upon which the *hobelers*, or light-armed Scottish cavalry, were mounted, which, in the numerous raids or invasions of England, under Bruce, Randolph, and Douglas, so cruelly ravaged and destroyed the country. Distinguished from these were the domestic horses and mares employed in the purposes of agriculture,[3] in war, or in the chase. Both the wild horses and those which had been domesticated were of a small hardy breed, excellently fitted for light cavalry, but too diminutive to be employed as the great war-horse of the knight, which had not only to bear its master armed from head to foot in steel, but to carry likewise its own coat of mail. It is on this account that we find the Scottish barons importing a breed of larger horses from abroad.[4] Some idea may be formed of the extent of the stud possessed by the higher barons and the rich ecclesiastical houses by an inventory which is preserved in the Cartulary of New-

[1] Excerpt. ex Rotulo Compot. Temp. Alex. III. pp. 12, 15.

[2] Cartulary of Melrose, p. 105. Cartulary of Kelso, pp. 283, 284.

[3] In the farming operations of ploughing and harrowing, in the leading of hay, the carting of peats, or taking in the corn during the harvest, the wain driven by oxen appears to have been principally employed, while the conveyance of the agricultural produce to any great distance was performed by horse-labour. This appears from the minute details of the services due by the tenants of the Abbey of Kelso, in the Cartulary of that rich religious house. Cartulary of Kelso, p. 475.

[4] Lord Douglas brings ten "great horses" into Scotland, 1st July 1352. Rotuli Scotiæ, p. 752, vol. i.

bottle. It states that the monks of Melrose possessed in old times three hundred and twenty-five forest mares and horses, fifty-four domestic mares, a hundred and four domestic horses, two hundred and seven stags or young horses, thirty-nine three-year colts, and a hundred and seventy two-year-old colts.

But that branch of rural economy upon which the Scottish proprietors of this period bestowed most attention was the rearing of large flocks of sheep and herds of cattle.[1] Sheep, indeed, chiefly abounded in the Lowlands; and, during the latter part of the reign of David the Second, we have seen the parliament interposing in order to equalise the taxation of the districts where sheep-farming was unknown and the Lowland counties, where the wool-tax fell heavily upon the inhabitants; while, on another occasion, "white sheep" are exempted, probably meaning those sheep which, for the sake of producing a finer quality of wool, had not been smeared with tar.[2] In a short time, however, the northern as well as the southern districts abounded in sheep, which became a principal branch of the wealth of the country. Their flesh was consumed at the baron's table; their wool formed the chief article of export, or was manufactured within the kingdom into the coarser kind of cloth for the farm servants;[3] their skins were tanned, and converted into articles for home consumption, or exported to England and Flanders. In like manner, the carcasses of the beeves were consumed by the troops of retainers, or exposed for sale in the market of the burgh; the skins were exported in great quantities, both with and without the hair, or manufactured into shoes, leather jackets, buff coats, caps, saddles, bridles, and other articles of individual comfort or utility. In the more cultivated districts cows were kept in the proportion of ten to every plough; but in the wilder parts of the country the number was infinitely greater.[4] Goats also were to be found in some districts, chiefly in the wilder and more mountainous parts of the country.[5]

From the quantity of cheese which appears to have been manufactured on the royal demesnes throughout Scotland, it is clear that the dairy formed a principal object of attention;[6] and if such was the case upon the lands of the crown, it is equally certain that its proper management and economy was not neglected by the clergy or the barons. In the Cartulary of Kelso, we find that David the First conferred on the monks of that house the tenth of the cheese which he received from Tweeddale; the same prince gave to the monks of Scone the tenth of the *can* of his cheese brought in from his manors of Gowrie, Scone, Cupar, and Forgrund; and to the monks of Rendalgross, the tenth of the cheese and corn collected from the district round Perth.[7] From the same valuable class of records, which contain the most interesting materials for the civil history of the country, we learn that, in addition to the more important branches already mentioned, poultry was carefully attended to in the farm establishment; and it is through the monks, the constant friends of national comfort and good cheer, that the fact is transmitted. As early as under Malcolm the Fourth, the monks of Scone, upon the feast of All Saints, received from every ploughland within their demesnes ten hens, along with other farm produce; and from each house of every hamlet or village on the lands belonging to the Abbey of

1 Excerpta ex Rotulo Compotorum, Temp. Regis Alex. III. p. 11.

2 "White sheep" is the technical phrase for sheep which are not smeared with tar in the winter time. The smearing injures the wool; and it is not improbable the exemption from tax may have been with a view to the production of wool better fitted to the purposes of the manufacturer. Robertson, Index to the Records, p. 117.

3 Charter of William the Lion to the burgh of Inverness, printed in Wight on Elections, p. 411.

4 Caledonia, vol. i. p. 798.

5 Robertson's Parliamentary Records, p. 3.

6 Excerpta ex Rotulo Compot. Temp. Alex. III. p. 11.

7 Cartulary of Kelso, p. 1; Cartulary of Scone, p. 16; Cartulary of May, p. 10.

Kelso, the abbot at Christmas received a hen, for which he paid a halfpenny.[1]

It will be seen from these facts that the state of Scotland with regard to these necessaries, and even comforts of life, which depend upon agricultural improvement, was respectable. Wheaten loaves, beef, mutton, and bacon, besides venison and game of all descriptions, in rude abundance, were to be found at the table of the greater and lesser barons; while the lower orders, who could look to a certain supply of pork and eggs, cheese, butter, ale, and oaten cakes, were undoubtedly, so far as respects these comforts, in a prosperous condition. Besides this, both for rich and poor, there was an inexhaustible supply of fish, which abounded in the seas that washed their coasts, and in the rivers and lakes of the country. Herring and salmon, cod and ling, haddocks, whiting, oysters, trout, eels, and almost every other species of fresh-water fish, were caught in great quantities, and formed an article of constant home consumption.[2] The pages of the various Cartularies abound with proofs of the assiduity and skill with which the fisheries were pursued, and of the value attached to them by their proprietors. In the Wardrobe Accounts of Edward the First, large quantities of herring were purchased for the provisioning of his Scottish garrisons; and during his campaigns of 1300 in that country, he carried with him his nets and fishers for the supply of the royal table.[3] Here, as in all other branches of national wealth, the monks were the great improvers, and by their skill and enterprise taught the great barons and the smaller landed proprietors, with their vassals and bondsmen, how much wealth and comfort might be extracted out of the seas, the lakes, and the rivers of their country. *Stell* fishings, a word which appears to mean a stationary establishment for the taking of fish, were frequent on the coast of Ayrshire, on the shores of the Solway, and generally at the confluence of the larger rivers with the sea. Besides this, we find in the Cartularies innumerable grants of *retes*, or the right of using a single net within certain limits upon the river or lake where it was established, and of *yairs*, a mode of fishing by the construction of a wattled machine within the stream of the river, which was inserted between two walls, and of very ancient use in Scotland. In the Cartulary of Paisley, the Earl of Lennox, some time before 1224, gave to the monks of that religious house a yair fishing in the river Leven, near Dumbarton.[4] A contemporary manuscript in the British Museum informs us, that in the reign of David the First the Firth of Forth was frequently covered with boats, manned by Scottish, English, and Belgic fishermen, who were attracted by the great abundance of fish in the vicinity of the Isle of May;[5] and we know from the accounts of the Chamberlain of Scotland, that for the use of the king's household not only large quantities of every kind of fish were purchased by the clerk of the kitchen, but that David the Second, like Edward the First, kept his own fishermen for supplying the royal table.

[1] Cartulary of Scone, p. 16; Cartulary of Kelso.

[2] Robertson's Parliamentary Records, p. 3.

[3] Wardrobe Accounts of Edward I., pp. 121, 122, 143, 151.

SECTION II.

DISTINCT RACES IN SCOTLAND.

We come now to the consideration of an important subject; to make a few remarks upon the different races of men which appear originally to have settled in Scotland, and the division of orders and ranks in society into which they came to be separated during this remote era of our history. At the death of Malcolm Canmore, in 1093, four distinct races were dis-

[4] Cartulary of Paisley, pp. 359, 360.

[5] MS. Bibl. Cotton. Tit. A. XIX. f. 78, C. The MS. is a life of St Kentigern, written about the end of the reign of David the First. "Ab illo quippe tempore in hunc diem tanta piscium fertilitas ibi abundat, ut de omni littore maris Anglici, Scotici, et a Belgicæ Galliæ littoribus veniunt gratia piscandi piscatores plurimi, quos omnes Insula May in suis rite suscipit portibus." Macpherson's Notes on Winton, vol. ii. p. 479.

cernible in Scotland. There was first the Gaelic or Celtic people, speaking the Erse language, and inhabiting Argyle, Galloway, Inverness, and nearly the whole of Scotland to the north of the Firth of Forth. Beyond them the hardy and warlike Norwegians had seized upon the Western Isles, and colonised the extreme districts of Ross and Caithness. In the richer lowland counties were the Saxons, a Gothic race, from whom Malcolm Canmore had chosen his queen, and whom he highly favoured and encouraged, while the convulsion in the sister country at the great era of the conquest had driven many opulent Normans to desert the service of the conqueror, and to carry their arms and their allegiance to a foreign prince, by whom they were warmly welcomed. During the long interval of a century and a half, which elapsed between the death of Malcolm Canmore and the accession of Alexander the Third, these materials became insensibly blended and mixed into each other; but the process was extremely gradual, and during the whole period we can discern distinct marks of the different races.[1] At the death of Malcolm Canmore, an event took place which exhibited in strong colours the animosity of the Gaelic people to the Saxons and Normans. Donald Bane, who had taken refuge in the Hebrides upon the usurpation of Macbeth, having emerged from his northern asylum, seized the throne; and his first exertion of power was to expel from the country all the foreigners who had intruded into his dominions.[2] The frequent residence of David the First, previous to his accession to the Scottish throne, at the court of England, and his possession of the extensive district of Cumberland, which was exclusively occupied by a Saxon and Norman population, must have contributed to soften the lines of distinction between the different classes of his subjects when he became king. Yet his anxious efforts could not altogether extinguish their jealous animosities, or prevent them from breaking out on most occasions when they were compelled to act together.[3] For example, at the battle of the Standard, Malise, earl of Strathern, a Gaelic chief, remonstrated with the Scottish king against his design of placing his squadrons of Norman soldiers, who were clothed from head to foot in steel, in the front of the battle. "Why," said he to the king, "will you commit yourself so confidently to these Normans? I wear no armour, yet none of them this day will go before me in the battle." Upon which David, to prevent a rupture between the two divisions of his army, found himself compelled to give the post of honour to the Galwegians, whom the Norman historians represent as a nation of absolute savages.[4] An attention to the arrangement of the Scottish army in this memorable battle, and to the circumstances under which it was fought, will throw some light upon the various tribes which at this time composed the body of the nation. After the Galwegians, who insisted on forming the first line, and were led by their chiefs, Ulric and Donald, came the second body, composed of the Norman men-at-arms, the knights and the archers, commanded by Prince Henry, whilst the soldiers of Cumberland and Teviotdale fought in the same line, and beneath the same banner. In the third division were drawn up the men of Lothian, along with the Islanders and Ketherans; and the king himself commanded a reserve, in which he had placed the Scots and the natives of Moray, with a select body of Saxon and Norman knights, which he kept near him as a body guard.[5] There were at this time in the English army two Norman barons, Robert de Bruce and Bernard Baliol, who possessed estates in Galloway, which they held of David as their liege lord. Before the battle, Bruce,

[1] Fordun a Goodal, book viii. chap. ii., iv., and vi., book ix. chap. xxxiv., xlvii., xlviii. and lxiii.

[2] Chron. Johan. Brompton, p. 990. Chron. Melrose, p. 174.

[3] Rich. Hagulstad. pp. 318, 323. Johan. Hagulstad. p. 262.

[4] Ethelredus de Bello Standardi, pp. 341, 342. Ricardus Hagulstad. Hist. p. 318.

[5] Ethelredus de Bello Standardi, p. 342.

who had been an old and dear friend of the Scottish king during his residence in England, requested an interview, and anxiously advised him to desist from further hostilities and to consent to a peace. In the arguments which he employed, as given by a contemporary historian,[1] the enmity between the Scottish and the Norman race is strongly insisted upon. He paints the Scots as rejoicing at the opportunity of avenging themselves upon a nation which was odious to them, and accuses the king of extreme folly in making war on that people by whom he had supported his power against the attacks of his Scottish subjects. "Think not," says he, "that one part of these savage tribes will be a sufficient defence against the rest; that the Scots will be barrier enough against the Scots; and raise not your banner for the destruction of those whose faithfulness in your defence has made them to be hated by the Scottish race."

The two races in David's army, thus strikingly described, seem to have been the Galwegians, the Islesmen, and the Ketherans, on one hand; the Normans and Saxons, the men of Lothian, of Teviotdale, and of Cumberland, on the other. Nor is it difficult to discover the cause of their animosity. The fact just mentioned, that Bruce and Baliol, two Norman barons, possessed lands in Galloway, will guide us to it. It was the policy of this monarch to encourage the influx of Normans into his dominions, by conferring upon them estates in the districts which his Gaelic subjects considered exclusively their own; and out of this policy arose a mutual jealousy and hatred, which it required centuries entirely to eradicate. The arms, the appearance, and the manners of these Galwegians are marked by the same author as essentially different from the rest of the Scottish army. When compared with the Norman men-at-arms, they were little else than naked savages. Their swords and a buckler of cow hide were their only weapons of defence against the steel casques, the chained-mail shirts, the cuirass, vantbrace, greaves, and iron gloves of the English army; but their first attack, in spite of these disadvantages, was so fierce as to be frequently successful. On the other hand, the Saxons and the men of Teviotdale, Cumberland, and Lothian appear to have been a civilised race, in comparison with the Galwegians, the Islesmen, and the Ketherans.[2]

The distinction, indeed, between the Saxon and the Gaelic people was as strongly marked as that between the Normans and the Galwegians. Malcolm's queen was a Saxon princess, and the sister of Edgar Atheling, the heir of the Saxon line in England. She spoke only her own language; and when she communicated with the Gaelic chiefs or clergy, employed as her interpreter the king, her husband, who was acquainted both with his own language and that of the English people.[3]

At the coronation of Alexander the Third, we have seen that the Gaelic portion of his subjects claimed a part in the ceremony, by the appearance of the Highland bard or sennachy, who repeated the genealogy of the king;[4] and, during the long wars of the three Edwards, the animosity of the same people to the new race of the Saxons and the Normans is manifested by the constant rebellions of the Galwegians and northern Scots; and the apparent facility with which the English monarchs, on all occasions, separated the lords of the isles and the northern chiefs from the common cause of liberty. Bruce's expedition against the Western Isles in 1315, which was followed by a temporary reduction of the chiefs, evinces the continued feelings of hostility; and almost the only

[1] Ethelredus de Bello Standardi, p. 348.

[2] Ethelredus de Bello Standardi, p. 345. In Thierry's Histoire de la Conquête de l'Angleterre par les Normans, a work of talent, the author falls into an error (vol. iii. p. 24) in describing the Scottish army as having for its ensign or standard a simple lance. Ælred expressly tells us that they had "Regale vexillum, ad similitudinem Draconis figuratum." De Bello Standardi, p. 346.

[3] Turgot, Vita Margaretæ Reginæ. Pinkerton's Vitæ Sanctorum, No. 5.

[4] Fordun a Goodal, vol. ii. p. 82.

occasion on which David the Second evinced a spirit worthy of his father, was in the suppression of a serious rebellion of the northern provinces of his dominions.[1] As to the traces of the Norwegian or Scandinavian race in the body of the Scottish people, they were, although perceptible, partial and evanescent. Their settlements upon the mainland in Caithness and Ross were destroyed, and the Western Isles wrested from them by Alexander; so that, were it not for the impression which they have left in the Scandinavian names and superstitions which are prevalent in those remote regions, and the instruction communicated to the Islesmen in the art of navigation, we should not be able to discover that the children of Odin had ever penetrated into our country.

In the period of a hundred and twenty years, between the accession of Alexander the Third and the death of David the Second, the Norman and Saxon population became so intimately blended together as to appear one and the same people; and their superior power and civilisation had gradually gained, from their fierce competitors, the Gaels, the greater and the fairer portion of Scotland. Even in those northern provinces, which had long exclusively belonged to them, barons of Norman and Saxon extraction were settled in possession of immense estates; and the constitution of the government, which, there is little doubt, had been under Malcolm Canmore essentially Celtic, was now as decidedly feudal, including certain orders and ranks in society which were clearly and strongly marked.

The king, under the feudal form of government, appears to have been superior to the highest nobility, in three great characters. He was the leader of the army in war, and possessed of the supreme military command;[2] he was the great judge or administrator of justice to his people, either in person or by deputy; and the fountain of honour, from whose will and authority all distinction and pre-eminence were considered as primarily derived. It would be a great mistake, however, to suppose that his power was anything approaching to despotic; for it was controlled by that of the higher nobles, whose estates and numerous vassals enabled them almost singly to compete with the sovereign. At the same time, there is decided proof that ample provision was made for the due maintenance of the royal dignity, both in the person of the king himself and his eldest son, who, at a very early period, we find was considered as entitled to the crown by hereditary right.[3]

Edgar in 1106, being then on his deathbed, bestowed upon his younger brother David, afterwards David the First, a large portion of his dominions, which included the ancient kingdom of Strathclyde, and nearly the whole of the country to the south of the Firths, with the exception of the earldom of Dunbar;[4] a proof that the personal estate of the Scottish king was at that time great. Many other incidental notices, which are scattered in the pages of our early historians, may be brought to corroborate the same fact.

In the year 1152, the prospects of the kingdom were clouded by the death of Prince Henry, the only son of David the First; upon which that monarch, anxious for the stability of the throne in his own family, commanded his grandson Malcolm, the eldest son of Henry, to be proclaimed heir to the crown; whilst on the second son William, afterwards William the Lion, he bestowed his terri-

[1] History, supra, p. 228.

[2] Simeon Dunelm. pp. 200, 210.

[3] Simeon Dunelm. p. 223.

[4] Ethelredus de Bello Standardi, p. 344. Macpherson's MS. Notes on Hailes' Annals, vol. i. p. 48. Hailes appears to be in an error when he imagines that the "portio regni," spoken of by Ethelred, was the part of Cumberland possessed by the Scottish kings, as it was after this that David acquired Cumberland from King Stephen. David, before he was king, erected Glasgow into a bishopric, from which arises a strong presumption that it lay within his principality; and we find that on his newly-erected Abbey of Selkirk, afterwards Kelso, he bestowed the tithes of his can of cheeses from Galloway, from which it is evident that he was the feudal superior of that district. Dalrymple's Collect. p. 404.

tories in Northumberland as the appanage of the heir-apparent.[1] We know, also, that David, earl of Huntingdon, brother of William the Lion, held at the time of his death, which happened in the year 1219, the earldoms of Garioch and Lennox, the lordship of Strathbogie, the town of Dundee, with the lands of Innerbervie, Lindores, Longforgrund, and Inchmartin, in consequence of a grant from the king his brother.[2]

In addition to these facts, which prove the power and personal estate of the king under the feudal government in Scotland, the riches of the royal revenue are evinced by various pecuniary transactions of William the Lion. It is well known that this monarch paid to Richard the First the sum of ten thousand marks, for resigning the homage extorted by Henry the Second.[3] Upon another occasion, he gave Richard two thousand marks to make up the heavy ransom which was exacted from the English monarch by the emperor.[4] Upon John, king of England, he bestowed the marriage of two of his daughters, with fifteen thousand marks;[5] and, if we may believe Hoveden, the same king offered fifteen thousand marks for Northumberland.[6] Allowing ten pounds of modern money for every mark of ancient, we find from these insulated instances of the sums paid by this monarch that he disbursed, out of the royal revenue, two hundred and seventy thousand pounds; and was ready, in addition to this, to have paid a hundred and fifty thousand for Northumberland.

Upon the marriage of Alexander the Second with the daughter of Lord Ingelram de Couci, the portion of the youthful bride amounted to seven thousand marks, which was given her as a third of the royal revenue; so that in 1239, the date of this marriage, the annual revenue of the King of Scotland, proceeding from the crown lands and other sources, amounted to twenty-one thousand marks,[7] somewhat more than two hundred thousand pounds. The same monarch, notwithstanding the drain of the royal treasury, in his father's time, gave ten thousand marks, besides lands, as a marriage portion with his second sister; and, on one memorable occasion, when the Scottish sovereign paid a Christmas visit to Henry the Third at York, in the mutual interchange of gifts between the two kings, Alexander, for the purpose of fitting out his royal host for the continent, made him a present of two thousand marks, or twenty thousand pounds of our present money, taking from him, at the same time, an acknowledgment, that the gift was never to be drawn into a precedent, but proceeded solely from his liberality.[8]

Under Alexander the Third, the riches of the royal revenue appear to have kept pace with the general prosperity of the kingdom. We have seen that monarch obtain the kingdom of Man and the Western Isles by purchase from the King of Norway, paying down for them the sum of four thousand marks, with an annual payment of a hundred marks for ever; and, not long after this transaction, the same monarch, at the marriage of his daughter to Eric, king of Norway, assigned as her dower the sum of seven thousand marks in addition to lands worth seven hundred marks a year.[9] To give an exact account of the various sources of the royal revenue in those early times would require a careful and lengthened investigation. The rents and produce of the royal lands and manors throughout the country; the dues payable under the name of *can* on the products of agriculture, hunting, and fishing; the customs on the exports of wool, wool-

[1] Fordun a Goodal, vol. i. p. 296. Johan. Hagulstad. p. 280. Gulielm. Neubrigen, p. 76.
[2] Fordun a Goodal, vol. ii. pp. 33, 42.
[3] Fordun a Hearne, p. 724.
[4] Chron. Melross, a Stevenson, p. 100.
[5] Fœdera, vol. i. p. 155.
[6] Hoveden, fol. 420.
[7] Math. Paris, p. 411. Macpherson's Notes on Winton, vol. ii. p. 481.
[8] Chron. de Dunstaple, MS. Bib. Cotton. quoted in Macpherson's Notes to Winton, vol. ii. p. 480. Rotuli Pat. 14 Hen. III. m. 5. and 15. m. 7.
[9] Fordun a Hearne, p. 1358. Fœdera, vol. ii. p. 1079.

fels, and hides; on articles of domestic manufacture, on foreign trade and shipping; the fees and fines which arose at this period in all countries where the feudal system was established, from the administration of justice upon the wardship and marriage of heirs, and in the escheats of estates to the crown; the temporary aids which the tenants and vassals of every feudal sovereign were bound to pay on great occasions, such as making the king's son a knight, the marriage of his daughters, his own coronation or marriage, or his ransom from captivity: these, amongst others, formed some of the principal sources of the revenue of the crown.[1]

If we make allowance for the rudeness of the period, the personal state kept up by the Scottish sovereign was little inferior to that of his brother monarch of England. The various officers of the royal household were the same; and when encircled by these dignitaries, and surrounded by his prelates, barons, and vassals, the Scottish court, previous to the long war of liberty, and the disastrous reign of David the Second, was rich in feudal pomp. This is proved by what has already been observed as to the condition of the royal revenue, when compared with the inferior command of money which we find at the same era in England;[2] and some interesting and striking circumstances, which are incidentally mentioned by our ancient historians, confirm this opinion. As early as the age of Malcolm Canmore, an unusual splendour was introduced into the Scottish court by his Saxon queen. This princess, as we learn from her life by Turgot, her confessor, brought in the use of rich and precious foreign stuffs, of which she encouraged the importation from distant countries. In her own dress she was unusually magnificent; whilst she increased the parade attendant on the public appearance of the sovereign, by augmenting the number of his personal officers, and employing vessels of gold and silver in the service of his table.[3] Under the reign of Alexander the First, the intercourse of Scotland with the East, and the splendid appearance of the sovereign, are shewn by a singular ceremony which took place in the High Church at St Andrews. This monarch, anxious to shew his devotion to the blessed apostle of that name, not only endowed the religious house with numerous lands, and conferred upon it various immunities, but, as an additional evidence of his piety, he commanded his favourite Arabian horse to be led up to the high altar, whose saddle and bridle were splendidly ornamented, and his housings of a rich cloth of velvet. A squire at the same time brought the king's body armour, which were of Turkish manufacture, and studded with jewels, with his spear and his shield of silver; and these, along with the horse and his furniture, the king, in the presence of his prelates and barons, solemnly devoted and presented to the Church. The housings and arms were shewn in the days of the historian who has recorded the event."[4]

On another occasion, the riches of the Scottish court, and, we must add, the foolish vanity of the Scottish monarch and his nobles, were evinced in a remarkable manner. Alexander the Third, and a party of a hundred knights, were present at the coronation of Edward the First; and in the midst of the festival, when the king sat at table, and the wells and fountains were running the choicest wines, he and his attendants dismounted, and turned their horses, with their embroidered housings, loose amongst the populace, to become the property of the first person who caught them, —a piece of magnificent extravagance, which was imitated by Prince Edmund, the king's brother, and others of the English nobles.[5]

[1] Chalmers' Caledonia, vol. i. p. 747. Chamberlains' Accounts, passim.

[2] Gulielmus Neubrig. p. 98. Macpherson's Notes on Winton, vol. ii. p. 481.

[3] Turgot, Vita Sanct. Marg. apud Pinkerton, Vitæ Sanctorum.

[4] Extract from the Register of the Priory of St Andrews, in Pinkerton's Dissertation, Appendix, vol. i. p. 464. Winton, vol. i. p. 286.

[5] Knighton, 2461.

From these facts some idea may be formed of the wealth of the royal court of Scotland. Like the other contemporary feudal monarchs of Europe, the sovereign was surrounded by certain great ministers of state, under the names of the justiciar, the chancellor, the constable, the marshal, the seneschal, the chamberlain, and the hostiarius or doorward. These offices were held by the richest and most powerful nobles, whose wealth enabled them to keep up a train of vassals which almost rivalled the circle round the sovereign; and who, in their own court and castle, mimicked the royal pomp, and were surrounded by their own cupbearers, constables, seneschals, and chamberlains.[1] Next to the king, therefore, such great officers held the highest rank in the nation; and no correct picture of the feudal government of Scotland, during this early period, can be given, without briefly considering the respective duties which devolved upon them.

In the history of our legal administration, during that long period which occupies the interval between the accession of the First Alexander and the First James, the office of great Justiciar holds a conspicuous place; although, from the few authentic records of those times, it is difficult to speak with precision as to its exact province.

It has already been remarked that, in this early age, the king was the fountain of justice, and the supreme judge of his people. We are indebted to a contemporary historian for a fine picture of David the First in this great character. "It was his custom," says Ethelred, "to sit, on certain days, at the gate of his palace, and to listen in person to the complaints of the poorest suitors who chose to bring their cause before him. In this employment he spared no labour to satisfy those who appealed to him of the justice of his decision; encouraging them to enter into argument, whilst he kindly replied, and endeavoured to convince them of the justice of his reasons. Yet," adds the historian, with great simplicity, "they often shewed an unwillingness to acquiesce in his mode of argument."[2]

The progresses which were annually made by the king, for the purpose of redressing grievances, and inquiring into the conduct of his officers throughout the realm, have been already noticed under the reign of Alexander the Third; but the general administration of justice, at an early period, seems to have been intrusted to two great judges,—the one embracing within his jurisdiction the northern, and the other the southern part of the kingdom. Under these supreme officers, a variety of inferior judges appear to have enjoyed a delegated and subordinate jurisdiction, who borrowed their designations from the district in which they officiated, and were denominated the Judge of Gowry, the Judge of Buchan, the Judge of Strathern, the Judge of Perth; but of whose exact authority and jurisdiction no authentic record remains.[3] The existence both of the supreme and of the inferior judges can be traced in authentic muniments, preserved chiefly in the Cartularies, throughout the reigns of Alexander the First, David the First, and Malcolm the Fourth, during a period of nearly sixty years, from 1106 to 1165. William the Lion, who assumed the crown immediately after Malcolm IV., appears to have changed or new-modelled these offices, by the creation of two great judges named Justiciars; the one the Justiciarius Laudoniæ, whose authority extended over the whole of the country south of the two Firths; and the other the Justiciarius Scotiæ, embracing within his jurisdiction the whole of Scotland beyond the Forth. The series of justiciars of Scotland from the reign of this prince, during a period of nearly a century, has been traced through documents of unquestionable

[1] Robertson's Index, p. 82.

[2] Fordun a Hearne, p. 940.

[3] Chalmers' Caledonia, p. 703, vol. i. note D Crawford's Officers of State, p. 431. Robertson's Index to the Charters, Postscript, p. 53.

authenticity;[1] but that of the justiciaries of Lothian cannot be so accurately ascertained,[2] while there is a third officer of the same high dignity, the Justiciarius ex parte boreali aquæ de Forth, whom we find incidentally mentioned at the same period; upon whose authority and jurisdiction the utmost research of our antiquaries has not succeeded in throwing any distinct light.[3] There can be little doubt, I think, that the judicial authority of these officers was pre-eminent, and that it embraced a civil and criminal jurisdiction, which was next to that of the sovereign. At the period of the temporary subjugation of Scotland by Edward the First, this monarch, in his new-modelling of the machine of government, introduced a change by appointing two justices in Lothian, two others in the country lying between the Forth and the Grampian range, called the Mounth, and, lastly, by separating the great northern district, extending from the Grampians to Caithness, into two divisions, over which he placed two supreme justiciars.[4]

Scotland, however, soon recovered her independence; and it seems probable that the ancient institution of a single Justiciar of Lothian was restored, along with her other native dignities, by Robert Bruce. It is certain, at least, that the existence of a single judge under that title can be traced through authentic documents, down to the period of James the Fifth. The latter institution of Edward, regarding the four justiciaries of Scotland, who presided over the regions to the north of the Forth, as it was sanctioned by ancient usage, was preserved by him who was the restorer of ancient right.[5] It would thus appear that, during the reign of Robert Bruce, the civil and criminal jurisdiction of the country was, with the exceptions to be immediately noticed, divided between five different justiciars; and it is probable, although it cannot be stated with historical certainty, that these supreme judges acted by deputies, who officiated in their absence, or presided in minor cases; and that they continued to be the supreme judges in Scotland down to the time of James the Fifth.

The office of great justice or justiciar was undoubtedly of Norman origin;[6] and, reasoning from the analogy between the office in England and in Scotland, it may be conjectured that the principal duties which it embraced, at this period, regarded those suits which affected the revenue or emolument of the king.

The office of Chancellor, next in dignity to that of the justiciar, is certainly as ancient as the reign of Alexander the First; but the precise nature of the authority committed to this great officer at this remote era of our history cannot be easily ascertained; and where authentic records do not demonstrate its limits, speculation is idle and unsatisfactory. It existed at a very early period in France, under the reign of Charlemagne; it is found in England in the Saxon times; but it was not till a much later period in Scotland, when the traces of a Celtic government became faint and almost imperceptible, and the Gothic race of the Saxons and the Scoto-Normans drove back the Celtic people into the remoter regions of the country, that Herbert the chancellor appears amongst the officers of the crown.[7] From this period, down to the coronation of Bruce, the industry of Chalmers has given a series of these great officers; and without entering into any antiquarian or etymological discussion, we have an authentic muniment in the contract of marriage between the son of Edward the First

[1] Dalyel's Desultory Reflections on the Ancient State of Scotland, p. 43. See Chamberlains' Accounts, Excerpta ex Rotulo Compotorum Tempore Regis Alex. III. vol. i. p. 8.

[2] The Justiciarius Laudoniæ appears in the year 1263, under Alexander the Third. Chamberlains' Accounts, Excerpta ex Rotulo Compot. Temp. Alexandri III. p. 15.

[3] In the Excerpta ex Rotulo Compot. Temp. Custodum Regni, p. 58, there appears "William St Clair, Justiciarius Galwythie."

[4] Ryley's Placita, p 504.

[5] Cartulary of Lindores, p. 10. MS. Monast. Scotiæ, p. 26, quoted in Caledonia, p. 707. Robertson's Index, pp. 67, 74.

[6] Spelman's Glossarium, p. 399. Chamberlains' Accounts, Excerpta ex Rotul. Compot Tempore Alex. III. pp. 29, 42.

[7] Crawford's Officers of State, p. 4.

and the Maiden of Norway, by which it appears that the custody of the king's seal, the examination of all writs which received the royal signature, and the cancelling or refusing the royal sanction to such deeds as appeared irregular, were then the chief duties of this officer. In addition to this, the Chancellor was the most intimate councillor of the king: he was always lodged near the royal person; he attended the sovereign wherever he went, both in peace and war; and was generally witness to his charters, letters, and proclamations.[1] This great office continued, as is well known, down to the period of the union of the kingdoms; an existence, if we compute from its appearance under Alexander the First, of nearly six centuries.

It has been already observed that the supremacy of the civil and criminal jurisdiction of the great justiciars was limited by some exceptions; and the first of these is to be found in the existence of the ancient office of sheriff, the earliest appearance of which is to be found in the beginning of the twelfth century, under the reign of Alexander the First.[2] This, however, is the very dawn of the institution; and the division of Scotland into regular and certain sheriffdoms must be referred to a much later era. It seems to be a sound opinion of the author of Caledonia, that "sheriffdoms were gradually laid out, as the Scoto-Saxon people gained upon the Gaelic inhabitants, and as the modern law, introduced by the Saxons, prevailed over the ruder institutions of our Celtic forefathers."[3] Previous to the conclusion of that division of our national history, which this author has termed the Scoto-Saxon period, extending from 1097 to 1306, the whole of Scotland, with the exception of Argyle, Galloway, and the western coast, had been progressively divided into sheriffdoms.

Many of these offices, the appointment to which was originally in the crown, had, at this early period, become hereditary in certain families; and, in imitation of the regal state, every greater baron appears to have appointed his sheriff,[4] in the same manner as we find many of these petty feudal and ecclesiastical princes surrounded by their chamberlains, chancellors, mareschals, and seneschals. It is certain, from the evidence of authentic records, that the term *schire* was anciently given to districts of much smaller extent than the sheriffships of the present day. In the foundation charter of William the Lion to the Abbey of Aberbrothoc, we find the shires of Aberbrothoc, of Denechyn, of Kingoldrum, and of Athyn; and in the Cartulary of the Abbey of Dunfermline, Dumfermelineschire, Dolorshire, Newburnshire, Musselburghshire, with the shires of Gelland and Gaitmilk. Over these minute divisions we do not discover any presiding judge enjoying the title of sheriff. Previous, however, to the memorable year 1296, these smaller divisions had disappeared; and the different enactments of Edward the First, preserved in the volumes of Prynne and Rymer, present us with an exact enumeration of thirty-four sheriffdoms, over most of which a separate sheriff presided.[5] The jurisdiction of this judge, both in civil and in criminal cases, appears to have been extensive, and within his own district nearly as unlimited as that of the great justiciars throughout the kingdom.

Under that savage state of feudal liberty, which lasted for many centuries in Scotland, all the higher nobles, both civil and ecclesiastical, enjoyed the power of holding their own court, and deciding causes where the parties were their vassals. The origin of this is curious. At a very early period, probably about the middle of the twelfth century, in the reign of Malcolm the Fourth, the land of Scotland began to be partially divided

[1] Rymer's Fœdera, vol. ii. p. 483. Balfour's Practicks, p. 15.

[2] Dalrymple's Collections, p. 405. Charta Fundacionis Abbacie apud Schelechyrch, nunc Selkrig.

[3] Caledonia, p. 715.

[4] Cart. of Glasgow, 103-5, quoted in Caledonia, p. 716. Cart. Newbottle, p. 89.

[5] Robertson's Index to the Charters. Notes to the Introduction, p. xl.

into royalty and regality. Those parts which were distinguished by the term royalty were subjected to the jurisdiction of the king and his judges; the districts, on the other hand, which were comprehended under the name of regalities acknowledged the jurisdiction of those ecclesiastics or nobles who had received a grant of lands from the crown, with the rights of regality annexed to it.

The clergy appear to have been the first who, in the charters of lands which they often procured from the crown, prevailed upon the sovereign to convey to them the right of holding their own courts, and to grant them an immunity from the jurisdiction of all superior judges. As early as the reign of Alexander the First, a royal charter conferred upon the monks of the Abbey of Scone the right of holding their own court in the fullest manner, and of giving judgment either by combat, by iron, or by water; together with all privileges pertaining to their court; including the right in all persons resident within their territory of refusing to answer except in their own proper court.[1] This right of exclusive jurisdiction was confirmed by four successive monarchs. The same grants were enjoyed, as we know from authentic documents, by the Bishop of St Andrews, and the Abbots of Holyrood, Dunfermline, Kelso, and Aberbrothoc, and, we may presume, on strong grounds, by every religious house in the kingdom. These powers of jurisdiction excluded the authority or interference of every other judge, of which we have decided proof in the Cartulary of Aberbrothoc.[2] It appears that in the year 1299 the abbot of that house repledged from the court of the king's justiciar, which was held at Aberdeen, one of his own men, upon pleading the privilege of the regality of Aberbrothoc; and in imitation of the clergy, the higher barons soon procured from the royal fear or munificence the same judicial rights and exemptions, which they in their turn conveyed to their vassals.

A superior baron in those ancient times was thus in every respect a king in miniature. Surrounded by the officers of his little feudal court, he possessed the privilege of dispensing justice, or what he chose to term justice, amongst his numerous vassals; he was the supreme criminal judge within his far-extended territories, and enjoyed the power of life and death, of imprisonment within his own dungeon, and of reclaiming from the court, even of the high justiciar, any subject or vassal who lived upon his lands. Can we wonder that, in the course of years, men, possessed of such high and independent privileges, became too powerful for the crown itself? It was in consequence of this that Bruce, in the disposition of many immense estates, which were forfeited for their determined opposition to his claim to the crown, bestowed them in smaller divisions upon new proprietors, who rose upon the ruins of these ancient houses.[3] The frequent grants of these estates by Bruce diminished the strength of the ancient aristocracy; but it is evident, at the same time, that, as the new charters frequently conveyed along with the lands the rights of holding their own court, the power which had controlled the crown during the struggle of this great prince for his kingdom was rather divided than diminished; so that the new barons, under the weak reign and long captivity of his successor, became as independent and tyrannical as before. When we come to consider the origin of the royal burghs, and the privileges conferred upon them by the sovereign, we shall discover a different and inferior judicial power, which extended to the determination of all causes arising within the limits of their jurisdiction.

In this brief sketch of our civil history it is impossible to enter into details upon the great subject of the law of the kingdom, as it existed during this remote period; but it may be generally remarked, that in the courts of the great justiciaries, as well as in

[1] Cartulary of Scone, p. 16.
[2] Cartulary of Aberbrothoc, p. 19.
[3] Robertson's Index. Charters of Robert the First.

those held by inferior officers of justice throughout the realm, most causes of importance appear to have been determined by the opinion of an assize, or an inquest; a mode of legal decision which we can discern as early as the reign of William the Lion. In the year 1184, we find an inquest appointed to decide a dispute regarding the pasturage of the king's forest, which had arisen between the monks of Melrose and the men of Wedale. The inquest, which consisted of twelve "good men," *fideles homines*, and Richard Moreville the constable, were sworn on the relics of the Church, and sat in presence of the king, his brother David, earl of Huntingdon, and the prelates and nobles of the court. It is probable, although it cannot be affirmed with certainty, that, even at this early age, the opinion of the majority of this jury of thirteen decided the case, and that unanimity was not required.[1]

In an inferior dispute, which seems to have arisen between the monastery of Soltre and the inhabitants of the manor of Crailing, in the year 1271, regarding the right of the monks to a thrave of corn every harvest out of the manor, the cause was determined by a jury summoned from the three contiguous manors of Eckford, Upper Crailing, and of Hetun, who, under the title of *Antiquiores patriæ*, decided it in favour of the monks of Soltre.[2]

The office of constable, which appears in Scotland as early as the reign of Alexander the First, was exclusively military, and undoubtedly of Norman origin. This great officer was the leader of the military power of the kingdom. In England, we find him in 1163 denominated indiscriminately constabularius and princeps militiæ;[3] and there is every reason to believe that the province of the constable, as head of the army, was the same in both countries. What was the exact distinction in our own country between the office of the mareschal and the constable it is not easy to determine. That they were different appears certain from the fact that we find a mareschal and a constable under the same monarch, and held by different persons; but we have no authentic record which describes the nature of the duties which devolved upon the mareschal, although there is no doubt that both offices, at an early period, became hereditary in certain great families.[4] The offices of the seneschal, or high steward, and of the chamberlain, belonged to the personal estate of the sovereign; and those who held them enjoyed the supreme authority in the management of the king's household, and in the regulation of the royal revenue. Both are as ancient as the reign of David the first; and the rolls of the royal expenditure, and receipts of the various items and articles of revenue, which were kept by the chamberlain, in his capacity of treasurer, still fortunately remain to us,—a most curious and instructive monument of the state of the times. The offices of inferior interest, though of equal antiquity—the panetarius, or royal butler; the hostiarius, or keeper of the king's door; the pincerna, or cupbearer; to which we may add the keepers of the king's hounds, the royal falconers, the keeper of the wardrobe, the clerk of the kitchen, and various other inferior dignitaries—sufficiently explain themselves, and indicate a considerable degree of personal state and splendour.

To whatever spot the king moved his court, he was commonly attended by the great officers of the crown, who were generally the richest and most powerful nobles of the realm. It will be recollected also that such high barons were, in their turn, encircled by their own seneschals, chamberlains, constables, and personal attendants, and brought in their train an assemblage of knights, squires, and inferior barons, who regarded their feudal lord as a master to whom they owed a more paramount allegiance than even to their king. To these officers, knights, and vassals, who, with their

[1] Chron. Melrose, p. 176. Cartul. of Melrose, p. 64. Chalmers' Caledonia, pp. 752, 753.
[2] Cartul. of Soltre, No. 17.
[3] Math. Paris, p. 1028, l. 63, l. 11. Twysden, x. scrip. vol. ii. Glossary.
[4] Chalmers' Caledonia, pp. 709, 710.

own soldiers and martial dependants, constituted what was termed the "following" of every great baron, his voice was, in the most strict and literal meaning, a supreme law, his service their only road to distinction. This has been sometimes called the principle of honour; but as their neglect was sure to be visited with punishment, if not with utter ruin and degradation, it was, in truth, a lower principle—of selfishness and necessity, which limited their duties to the single business of supporting their liege lord against those whom he chose to esteem his enemies. None, indeed, can attentively read the history of those dark times without being aware that the immense body of the feudal vassals and military retainers throughout Scotland regarded the desertion of their king, or their leaguing themselves against the liberty of their country, as a crime of infinitely lighter dye than a single act of disobedience to the commands of their liege lord; and, considered in this light, we must view the feudal system, notwithstanding all the noble and romantic associations with which it has invested itself, as having been undoubtedly, in our own country, a principal obstruction to the progress of liberty and improvement. We shall conclude our remarks upon the distinction of ranks in Scotland by some observations upon the state of the lower classes of the people during this important period of our history.

These classes seem to have been divided into two distinct orders. They were, first, the free farmers, or tenants of the crown, of the church, and of the greater or lesser barons, who held their lands under lease for a certain rent, were possessed of considerable wealth, and enjoyed the full power of settlement in any part of the country which they chose to select, or under any landlord whom they preferred. This class is generally known in the books of the Chamberlains' Accounts by the title of "*liberi firmarii*;" and a convincing proof of their personal freedom at an early period is to be found in the fact, which we learn from the same curious and instructive records, that the farmers of the king possessed the full power of removing from the property of the crown to a more eligible situation. During the minority of the Maiden of Norway a sum of money was advanced to the farmers of the king, in order to prevail upon them to remain on the crown lands of Liberton and Laurencetown, which they were about to desert on account of a mortality amongst their cattle.[1] It was, I conjecture, this free body of feudal tenants who were liable to be called out on military service, and formed the great proportion of the Scottish infantry, or spearmen, in the composition of the army.

Very different from the condition of this first order was the second class of cottars, bondsmen, or villeyns. Their condition forms a marked and extraordinary feature in the history of the times. They were slaves who were sold with the land; and their master and purchaser possessed over their persons the same right of property which he exercised over the cattle upon his estate. They could not remove without his permission; wherever they settled, his right of property attached to them; and, whenever he pleased, he could reclaim them, with their whole chattels and effects, as effectually as he could seize on any animal which had strayed from his domain. Of this state of slavery innumerable examples are to be found in the Cartularies, establishing, beyond controversy, that a considerable portion of the labouring classes of the community was in a state of absolute servitude.

We find, for example, in the Cartulary of Dunfermline, that three bondsmen, Allan, the son of Constantine, with his two sons, had in 1340 transferred themselves from the lands of the abbot of this religious house to some other habitation, under pretence that they were the villeyns of Duncan,

1 "Item firmariis regis terre de Liberton et Laurancyston quorum animalia anno predicto moriebantur ad valorem x librarum iii. c. de gracia ad presens, et ne exeant terram regis in paupertate, et ne terra regis jaceat inculta."—Chamberlains' Accounts, Temp. Custodum Regni, p. 65.

earl of Fife. On being ordered to come back to their own master they had refused, upon which an inquest was summoned, for the purpose of determining to whom Allan, the son of Constantine, and his sons, belonged; when it was found that they were the property of the abbot.[1]

So early as the year 1178, William the Lion made a donation of Gillandrean M'Suthen and his children to the monks of Dunfermline for ever.[2] We find that David the First, in 1144, granted to the Abbot of Kelso the church of Lesmahago, along with the lands of the same name, and their men; and still later, in 1222, the Prior and the Convent of St Andrews, by an express charter, which is still preserved, permit a bondsman and his children to change his master, and to carry his property along with him.[3] In the year 1258, Malise, earl of Strathern, gave to the monks of Inchaffray, for the safety of his own soul and the souls of his ancestors and successors, John, surnamed Starnes, the son of Thomas, and grandson of Thor, with his whole property, and the children which he had begotten, or might beget;[4] and this for ever.

When a grant of land was made by the king, or by any of his nobility, either for military service or to be held *blench* for the payment of a nominal feu-duty, it carried along with it to the vassal the power of removing the tenants, with their cattle, provided they were not native bondsmen. The right to these, and the power of reclaiming them, remained in the person of the lord of the soil, or feudal superior. Thus, in a valuable collection of ancient papers, we find a charter by which one of the Roberts confers upon Maria Comyn certain lands, "cum licentia abducendi tenentes, cum bovis suis, a terris, si non sint nativi et ligii homines."[5]

In consequence of this certain and acknowledged right, in the feudal landlord or baron, to the property of his bondsmen, with their children and children's children for ever, it became a matter of great consequence to ascertain with exactness, and to preserve, the genealogy of this unfortunate class of men, in order that, upon any desertion or removal, the power of reclaiming them might be exerted with certainty and success. Accordingly, the Cartularies present us with frequent examples of genealogies of this sort.[6] The names of these bondsmen are essentially different from the free-born vassals and tenants, who commonly took their names from their lands. In an ancient deed, entitled a perambulation to determine the boundaries between the lands of the Abbot of Dunfermline and those of David Doorward, which took place in the year 1231, under Alexander the Second, the names of the landholders and minor barons, and of the bondsmen who attended upon this occasion, are easily distinguishable from each other. We meet with Constantine de Lochor, and Philip de Loch, and many others, after which occur such uncouth appellatives as the following:—Gillecostentin, Bredinlamb, Gilleserfmac Rolf, Gillecolmmacmelg, John Trodi, Riscoloc, Beth MacLood, Gillepatric Macmanethin; and it may be noticed as a singular circumstance, which proves how different were the habits and customs of this degraded class from the freemen of the same country, that the father does not seem to have transmitted his name or surname to his children, or, at least, that this did not necessarily happen. In the genealogy of John Scoloc, which is preserved in the Cartulary of Dunfermline, the son of Patrick Stursarauch was Allan Gilgrewer, and the son of Allan Gil-

[1] Cartulary of Dunfermline, p. 654. M'Farlane's Transcript. The folio in the original 98.

[2] Ibid. folio 13.

[3] MS. Monasticon Scotiæ, p. 33; quoted in Chalmers' Caledonia, vol. i. p. 720, and MS. Original Charters in Advocates' Library, No. 27. See Dalzel's Fragments of Scottish History, p. 26. See also Cartulary of Kelso, p. 9, as to the bondage of the labourers in the time of Alexander the First, and the Cartulary of Dunfermline, M'Farlane's Transcript, pp. 592, 593.

[4] Cartulary of Inchaffray, p. 36; quoted in Annals of Scotland, vol. i. p. 304.

[5] Haddington's Collections, quoted by Dalzel, Fragments, p. 27.

[6] Cartul. of Dunferm. pp. 145, 146. See Illustrations, letters PP

grewer was John Scoloc.[1] It seems certain that no change in the situation of these bondsmen, by which they rose in eminence or opulence, could have the effect of removing them from their original degraded condition. They might enter the Church and become clerks, or continue laymen, and pursue a successful career as artisans or merchants, but they were still as much slaves as before; and, till the time they purchased or procured their liberty by the grant of their master, their persons, profits, and whole estate belonged exclusively to him. This is strikingly exemplified in a convention preserved in the Cartulary of Moray, which took place between Andrew, the bishop of that see, and Walter Comyn. It was agreed, in this deed, that the Bishop of Moray and his successors in the see should have all the clerks, and two laymen, whose names were Gillemalavock Macnakengello, and Sythach Macmallon; these clerical and lay bondsmen, the deed proceeds to say, are to belong to the bishop and his successors, with their cattle, possessions, and children for ever; while the Lord Walter Comyn is to have all the remaining lay bondsmen of the lands of Logykenny and Inverdrummyn.[2] It may perhaps be doubted whether the *clerici nativi* here spoken of do actually mean bondsmen who have become clerks, or may perhaps merely signify bondsmen belonging to Church lands. Yet the words of the deed, and the marked opposition in which we find the words *clerici et laici nativi*, seem to favour the meaning here attached to it.

In England, under the government of the conqueror, it was the mark of freemen that they could travel where they chose; and exactly the same criterion was established in our own country. In Doomsday Book, a Norman baron, Hugo de Port, is mentioned as the master of two tenants, who, in the days of Edward the Confessor, might go where they pleased without leave. In like manner Robert Bruce, in the year 1320, grants a charter to Ade, the son of Aldan, in which he declares that it had been found, by an inquest held before his chamberlain and justiciary, that this person was not the king's slave or bondsman, but was at liberty to remove himself and his children, with their goods and chattels, to any part of the kingdom which he might select, at his own will and pleasure, without molestation by any one: on which account the king declares the said Ade, with his sons, Beth, John, Ranald, and Duncan, to be his freemen, and as such not subject to any yoke or burden of servitude for ever.[3] As the master could reclaim his fugitive bondsman from any place to which he had transferred himself, so it was in his power alone to make his slave a freeman whenever he pleased. Thus, by a charter, dated at Perth on the 28th February 1369, David the Second intimates to all concerned that he has made William, the son of John, the bearer of these letters, who was his slave and bondsman, his freeman, and had emancipated all his posterity; so that he had full right, without trouble or molestation, to travel with his property and his children to whatever place he chose, and there take up his abode.[4] Many examples of the manumission of such unfortunate persons by their baronial masters, and still more frequent instances of the gift of freedom, conferred by the rich ecclesiastics and religious houses, are to be found in records of undoubted authenticity.[5] But the progress of freedom amongst the labourers of the soil was exceedingly slow and gradual; the names which are indicative of this degraded condition, such as nativi,

[1] Cartulary of Dunfermline, p. 145. M'Farlane's Transcript. See Illustrations, letters QQ.

[2] Cartulary of Moray, pp. 53, 54. See Illustrations, letters PP. Caledonia, p. 721.

[3] Henshall's Specimens, p. 74. "Præter hoc habet Hugo duos homines tenentes dimidium solinum, qui poterant tempore Regis Edwardi ire quolibet sine licentia." Doomsday Book, 601. Robertson's Index to the Charters, Postscript, p. 54, and Index, p. 16, No. 26. In Robertson's Index, P.S. p. 54, will be found another curious deed, illustrative of the condition of the "nativi homines," which is taken from an original in the Advocates' Library.

[4] Robertson's Index, pp. 89, 47, 66.

[5] See Illustrations, letters PP.

servi, villani, homines fugitivi, bondi, mancipii, occur throughout the whole period of the thirteenth and fourteenth centuries; nor is it prior to the fifteenth that we can discern the extinction of slavery, and the complete establishment of individual freedom. In Scotland, bondage appears to have been sooner abolished than in the sister country. It continued in force in England as late as the year 1536; and its last traces are still discoverable in 1574, when a commission was issued by Elizabeth for the complete manumission of the last relics of bondsmen and bondswomen in her dominions.[1]

SECTION III.

ANCIENT PARLIAMENT OF SCOTLAND.

In the course of these observations, a subject of great interest and importance now presents itself, the satisfactory elucidation of which would require many pages of careful and laborious investigation: I mean the history and constitution of the Ancient Parliament of Scotland.

Long before the existence of the word parliament, or the mention of the three estates of the kingdom, in our authentic histories or records, the sovereign of Scotland, like every other contemporary feudal monarch, was accustomed to consult, on occasions of solemnity and importance, with his high council; consisting of the bishops and abbots, the great officers of the crown, and the most powerful nobles and barons of the realm; but nothing resembling a regular parliament is to be found during the reigns of Alexander the First, or of his brother David. The bold and imperious character of Alexander seems, indeed, to have stretched the royal prerogative to the utmost extent; and, from the few and imperfect records of his short reign which yet remain to us, he appears to have been his own chief-councillor; but it is more remarkable that we look in vain for a parliament, or for any solemn assembly of the estates of the realm, under the long reign of David the First, although he has been pronounced by Buchanan, an impartial witness when kings are the subject, the most perfect model of a wise and virtuous prince. Yet David was undoubtedly a legislator; and on one memorable occasion, the death of the heir-apparent, his only son, Prince Henry, he adopted the most solemn measures for the regulation of the succession.

It will, perhaps, be recollected by the reader, that, under the reign of Robert Bruce, when the death of the young Steward rendered necessary some new enactments regarding the succession to the throne, a parliament assembled, in which the entail of the crown was solemnly settled upon Robert the Second and his descendants. Now, David the First, in 1152, had exactly the same task to perform as Bruce in 1318. But the mode in which it was executed was entirely different. He called no parliament. We do not even discover that he took the advice of his royal council, or of his nobility. But he assembled an army, of which he gave the command to one of the most powerful of his nobles, and, delivering to him his infant grandson, commanded him to march through his dominions, and to proclaim him heir to the crown;[2] a circumstance from which there arises a strong presumption that, at this period, a parliament was unknown in Scotland.

Neither do we find this great council under the reign of his successor, Malcolm the Fourth. Lord Hailes, indeed, in his Annals has stated that Malcolm, with the advice of his parliament, gave his sisters, Ada and Margaret, in marriage to the Counts of Holland and Brittany; but the words of Fordun, if accurately understood, do not appear to bear such meaning, and the conjecture which the same author has added, in a note, is the true sense:—"Malcolmus subsidio suorum et consilio," implies nothing more than that Malcolm, with the "assistance and advice of his nobles," married his sisters: the assistance here spoken of was probably an aid or

[1] Barrington on the Statutes, pp. 247, 351.

[2] Simeon Dunelm. p. 280.

grant of money, given to the king to make up the marriage portions of the young princesses; but there is not the slightest proof that a parliament was assembled, during the reign of Malcolm, upon this or any other occasion.[1]

In 1174, William the Lion, the successor of Malcolm the Fourth, having been taken prisoner by the English, after a short confinement at Richmond, was sent, by Henry the Second, to a more secure and distant dungeon at Falaise, in Normandy. The event called for an immediate interference of those upon whom the principal management of the government devolved; and it is well known that, in the name of the nation, a disgraceful transaction took place, by which the king, with consent of the Scottish barons and clergy, purchased his liberty at the price of the independence of the country. The principal fortresses of the kingdom, and some of the highest barons of the realm, were placed in the hands of the English king, as hostages for the performance of this treaty; yet this whole transaction, which gave liberty to a king, and extorted from the nobles an acknowledgment of feudal superiority in the English crown, was carried through without a parliament.

Upon the accession of Richard the First, that crusading monarch, anxious to collect money for his expeditions to the Holy Land, proposed to restore to the same prince who had resigned it the independence of the nation, upon payment of ten thousand marks, somewhat more than a hundred thousand pounds of our present money. This sum, we learn from authentic evidence in the Cartulary of Scone,[2] was collected by means of an aid granted by the clergy and the nobles; and it is remarkable that there is not the slightest mention of a parliament in the course of the whole transaction. Not long before his death, the same monarch concluded a peace with King John of England; by one of the articles of which he engaged to pay to this prince the large sum of fifteen thousand marks. This could not be done without assistance: and, when the term of settlement arrived, "a great council," says Fordun, "was held at Stirling, in which, having requested an aid from his nobility, they promised to contribute ten thousand marks, besides the burgesses of the kingdom, who agreed to give him six thousand."[3] That this was a national council, and not merely a consultation of the king with his great officers, is, I think, evident from an expression of Benedictus Abbas, when describing the consideration given by William to a proposal of Henry the Second, for a marriage between the Scottish prince and Ermingarde de Beaumont, as contrasted with the words used by Fordun. "Rex, habito cum familiaribus consilio, tandem adquievit," are the words used by the first-mentioned historian;[4] and they are essentially different from the expression of Fordun.[5] Yet, upon what grounds shall we presume to call this great council a parliament, when no evidence remains to us that the spiritual estate were assembled at all, or that a single burgess or merchant sat in the assembly, although the royal burghs, as towns belonging to the king, were obliged to contribute their share in the public burden?

We shall, I think, be confirmed in this opinion by an examination of some of the great public transactions of the succeeding reign of Alexander the Second. Upon the marriage of this monarch with an English princess, Joan, the sister of Henry the Third, it naturally happened that many intricate discussions and grave and material stipulations took place; yet these, as well as the settlement of the jointure of the princess, were discussed, and finally concluded, without the intervention of a parliament. And the same observation may be made on the second marriage of this prince with Mary de Couci.[6] On

1 Fordun a Goodal, book viii. chap. iv. Hailes' Annals, vol. i. p. 124, 8vo edition.

2 Cartulary of Scone, f. 10. Hailes' Annals, vol. i. p. 156.

3 Fordun a Goodal, lib. viii. chap. lxxiii. vol. i. p. 529.

4 Benedictus Abbas, p. 448.

5 Fordun a Goodal, vol. i. p. 529.

6 Math. Paris, p. 411. Ed. a Wats.

another occasion, when Alexander, in 1224, levied an aid of ten thousand pounds, for providing portions to his sisters, it was granted, or rather imposed upon the nation, by the simple order of the king, without the slightest appearance of a meeting of the three estates, or even of the council of the king;[1] and although we are informed by Fordun, that the same monarch, immediately after his coronation, held his parliament at Edinburgh, in which he confirmed to the chancellor, constable, and chamberlain, the same high offices which they had enjoyed under his father,[2] the expression is so vague, and the notice so brief, that no certain inference can be deduced from it. On the contrary, although he was one of the wisest and most popular of our early kings; although statutes of his enactment have come down to us, and his reign is fertile in domestic troubles and in foreign war, a careful examination of our authentic historical records has failed to discover a single instance, if we except the above, in which a parliament was assembled; and the government appears to have been entirely directed and controlled by the will of the king, and the advice and assistance of the great officers of the crown.

Upon the accession of Alexander the Third there was no change in this respect. The important public measure of the marriage of their youthful king with a daughter of Henry the Third; the appointment of counsellors, who were intrusted with the management of the kingdom during the minority of the sovereign; and the frequent changes in the regency which occurred in the stormy commencement of this reign, were wholly carried through without a parliament.[3] But we shall not wonder at this, when one of the most important transactions of his reign, the settlement of the disputes with Norway, and the acquisition of the Western Isles, involving an intricate and laborious treaty with that kingdom, a grant of money, and a yearly payment of a hundred marks, was concluded entirely by the king. The words, "habito super hoc maturo avisamento," which are used by Fordun, cannot, by the utmost ingenuity, be construed into anything more than a consultation between the king and his council.[4] The mode of considering the expediency of any public measure during this reign, appears to have been by the king holding a council, or colloquy, with the officers of the crown, and, probably, the most powerful of the nobility. In the year 1264, when the treaty with Norway was in agitation, Alexander held two colloquies of this kind at Edinburgh; and the accounts of the Chamberlain inform us that, on this occasion, the carcasses of twenty-seven cows, six calves, and fourscore of sheep, were sent to the capital for the consumption of the king's household.[5]

On the death of the Prince of Scotland, and of his sister, the Queen of Norway, events which left this monarch with an infant grandchild as the only heir to the crown, it became necessary, for the peace and welfare of the kingdom, that there should be a settlement of the succession; and it is fortunate that, in two authentic historians, we have a clear, although exceedingly brief, account of this transaction. Winton informs us that Alexander the Third "caused make a great gathering of the states at Scone;" and by an original and contemporary record in Rymer, it is shewn that in this "gathering," which took place on the 5th February 1283–4, the Scottish nobles bound themselves by a solemn oath to acknowledge Margaret, princess of Norway, as their lawful queen, fail-

[1] Fordun a Goodal, vol. ii. p. 53.

[2] Ibid. vol. ii. p. 84.

[3] Ibid. vol. ii. pp. 84, 85, 90, 91. In the year 1259, we find in Math. Paris, p. 844, Ed. a Wats., that W. de Horton, a commissioner from Henry the Third to the King of Scotland, on his arrival in that country, found the king and queen, and the nobility of the realm, assembled in parliament; but of this parliament we have no evidence in Fordun, or Winton, or any authentic record. It was in all probability a mere assembly of the court.

[4] Fordun a Goodal, vol. ii. p. 102.

[5] "In viginti septem carcosiis vaccarum et vi. vacc. et. iiijxx. multonibus empt. ad servicium Dni Regis ad duo Colloquia que tenebantur apud Edinburgh, anno MCCLXIV."—Chamberlains' Accounts, vol. i. p. 52. Computum Vicecom. de Edinburgh, Temp. Alex. III.

ing any children of the monarch then on the throne, or of the Prince of Scotland deceased.[1] The expressions used by Fordun in describing the same assembly denominate it a council of the prelates and nobles of the realm.[2] Neither of these historians makes use of the word parliament in recording this event; nor is there the slightest evidence of the appearance of the representatives of the burghs upon this occasion; and, as Alexander the Third died soon after, we must conclude that, during his whole reign, there is no evidence that a parliament, in the sense in which that word was used in England under Edward the First, ever sat in Scotland.

Upon the death of this monarch, and the subsequent calamities in which the kingdom was involved by the ambition and injustice of Edward the First, we begin to discern something like the appearance of the great national council; and it is a remarkable fact that, from the greatest and bitterest enemy who ever coped with this country, we should have derived our first ideas regarding a regular parliament, composed of the prelates, barons, and representatives of the royal burghs. But this, as may be naturally conjectured, was not a sudden, but a gradual change, of which the history is both interesting and important.

Immediately after the death of Alexander the Third, we are informed by Winton that there was a meeting of the estates of Scotland, who held a parliament, in which they appointed six regents to govern the kingdom. It is to be observed that this is the first time that the word parliament is used by this historian; but unfortunately no authentic record of its proceedings has been preserved; and Fordun is even silent as to its existence.[3] With regard, however, to a meeting of the estates of Scotland, which, not long after this, took place at Brigham, we are fortunately not so much in the dark; as the record of it is preserved, and proves beyond a doubt the exact constitution of the great national council or parliament in 1289. It consisted of the five guardians or regents, ten bishops, twelve earls, twenty-three abbots, eleven priors, and forty-eight barons, who address themselves to Edward under the title of the Community of Scotland; and it is certain that, in this parliament held at Brigham, there is no appearance of the representatives of the burghs; an evident proof that, although called upon frequently to contribute their portion in the aids or grants of money which the exigencies of the kingdom required, they as yet had no place in the national council, and were not considered, in a legislative light, as part of the community of the realm.

In the treaty regarding the marriage of the Prince of Wales and the Maiden of Norway, which was concluded at Brigham, one of the articles expressly stipulates "that no parliament was ever to be held without the boundaries of Scotland;" but the deed itself throws no light upon the composition of this national council. The death of the Princess of Scotland, and the bold and unprincipled conduct of the English monarch, have been already detailed; and as the various conferences preparatory to the decision of the great question of the succession took place in an English parliament, although attended by the whole body of the Scottish nobility, it would be unsound to draw any inferences from this part of our history illustrative of the constitution of the ancient Scottish parliament; nor can we lay much stress on a passage in Fordun,[4] when he informs us that the parliament of Scotland afterwards declared to Baliol that he had been compelled to swear homage to Edward, "inconsultis tribus statibus regni." It is material, however, to observe, that when Edward, in the interval between the delivery of the Scottish fortresses and the production of the claims of the com-

[1] Winton, vol. i. p. 397, and Rymer, vol. ii. pp. 1091, and 582. Winton is in an error in making this gathering of the states in 1285, as it appears in the Fœdera to have been held 5th February 1283-4.

[2] Fordun a Goodal, vol. ii. p. 127.

[3] Winton, vol. ii. p. 10. Fordun a Hearne, p. 951.

[4] Fordun a Goodal, vol. ii. p. 152.

petitors, took his progress through Scotland for the purpose of exacting a general homage, he called upon the burgesses of the realm to come forward and take the oaths of allegiance; and that the first record in which we find the names of this important class in the community is an English deed, and the first monarch who considered their consent as a matter of public consequence, an English sovereign.[1]

Upon the accession of Baliol to the throne, we have seen the harshness and intolerance with which he was soon treated by his new master; and it is worthy of remark that in the parliament which was held by this unfortunate monarch immediately after these indignities had been offered him, there is the first authentic intimation that the *majores populi*, or chiefs of the people, formed a constituent part of this assembly.[2] This, therefore, is the first great national council in the history of our country which is truly entitled to be called a parliament: the first meeting of the estates, in which the clergy, the nobility, and the representatives or heads of the people, sat in deliberation upon the affairs of the country. It may, perhaps, be in the recollection of the reader that its proceedings were of a bold and determined description. They banished all Englishmen from Scotland; seized and confiscated the estates of the Anglo-Scottish nobles; compelled Baliol to renounce his homage and fealty; and resolved upon an immediate war with England.[3] In addition to this, the same parliament negotiated a marriage between a daughter of France and the eldest son of their sovereign; and the public instrument which contains the treaty entered into between France and Scotland upon this occasion affords another proof that the towns and burghs had arisen at this period into a consideration to which till now they had been strangers. In contains a clause which provides that it shall be corroborated by the seals and the signatures, not only of the prelates and nobles, but of the "*communitatis villarum regni Scotiæ*,"—meaning, evidently, the royal burghs of the kingdom.[4] The expression in another part of the treaty is, "*universitatis et communitatis notabiles regni*," which is equally clear and definite. I venture, therefore, to affirm, that as far as an examination of the most authentic records which have yet been discovered entitles us to judge on the subject, the first appearance of the royal burghs, as an integral part of the Scottish parliament, is to be found under the third parliament of Baliol; and that we probably owe their admission into the great national council to our bitter enemy, Edward the First. Could we discover the original record of this important parliament, the question would at once be set at rest; but the expression of Fordun, and the positive proof of the appearance of the burghs in the treaty with the King of France, appear to be conclusive upon the point.

In the long train of national calamities which followed this alliance with Philip we do not once meet with any event which throws light upon the constitution of our ancient parliament, till the period when Edward, after the death of Wallace and the surrender of the castle of Stirling, in the premature belief that his Scottish wars were ended, proceeded to organise a final settlement of his conquest. Upon this occasion, the persons whom he consulted were, the Bishop of Glasgow, Robert Bruce, afterwards king, and John de Mowbray. By their advice, he issued an ordinance, directing that the "Community of Scotland," meaning the states of the realm, should assemble at Perth on the 28th of May 1305, in order to elect ten commissioners, who were to repair to the English parliament, which was to be held at London. This number of ten persons, who were vested with full powers from the Scottish parliament, was to include two bishops, two abbots, two earls, two barons, and two members to represent the "Com-

[1] Fœdera, vol. ii. p. 573. Prynne, pp. 502, 512.

[2] Fordun a Goodal, vol. ii. p. 153. Hemingford, vol. i. p. 75, gives a different description as to the constitution of this parliament, but I prefer Fordun's authority.

[3] History, supra, pp. 41, 42.

[4] Rymer's Fœdera, vol. ii. p. 696.

mune," or community of burghs; a clear and satisfactory proof that their right to be represented in the great national council was now distinctly recognised, and that they stood in this respect upon the same ground as the two other estates of the kingdom.[1] It is unfortunate that no authentic record has come down to us of the proceedings of the Scottish parliament in which these ten commissioners were elected; but it may be presumed that the representatives of the burghs sat in the national council at Perth, and elected the two commissioners who were to appear for them in the English parliament at London. From this period till the year immediately subsequent to the battle of Bannockburn no parliament sat in Scotland. Perhaps it is more correct to say no record of any has been preserved, because an important council of the clergy which was held at Dundee, and in which a solemn instrument was drawn up respecting the succession to the crown, gives us some ground for supposing that about the same time a meeting of the three estates had taken place. In the year 1315, Bruce, whose only child was a daughter, yet unmarried, judging it prudent to settle the succession, assembled a parliament at Ayr, on the 26th April 1315; and we know, from the authentic evidence of the instrument drawn up at this time, that the heads of the communities or burghs sat in this parliament, and affixed their seals to the deed, along with the prelates, earls, and barons who were convoked upon this solemn occasion.[2] No other meaning can be given to the passage which affirms that the prelates, earls, barons, and heads of the communities or royal burghs, "majores communitatis," had appended their seals to the instrument.

The same observations may be made regarding the parliament which met at Scone in the year 1318, after the death of King Edward Bruce in Ireland; in which it was deemed necessary, by King Robert, to introduce some new regulations regarding the same subject,—the succession to the crown.[3] Of this assembly of the estates, as of the former, no original record remains; but the presence of the "communities" or burghs is proved by the copy of the original deed, which is preserved amongst the Harleian Manuscripts. In like manner, strong evidence is afforded by the famous letter of remonstrance, which was addressed to the Pope in the year 1320, that the burghs were now considered as an integral part of the parliament. This epistle was drawn up in a parliament held at Aberbrothoc; and, after enumerating in its exordium the names of the prelates, earls, and most noted of the barons present, it adds, the "libere tenentes ac tota communitas regni Scotiæ."[4]

Hitherto, as far as the history of the ancient parliament of Scotland has been examined, we have been compelled to be contented with such passages as afford, not indeed conclusive evidence, but certainly strong presumptions, that from the period of the reign of Baliol the representatives of the burghs appear to have been admitted into the great national council. But we have now reached the parliament which was held by Bruce at Cambuskenneth in 1326; and although the original record of this assembly of the estates has perished, with many other precious instruments which might have thrown a flood of light upon the obscure paths through which we have been travelling, an indenture has been preserved, which proves beyond a doubt that, besides the earls, barons, and freeholders, or *libere tenentes*, the representatives of the burghs sat in this parliament, and formed the third estate of the national council.[5]

[1] Palgrave's Parliamentary Writs, Introductory Chronological Abstract, p. 66.

[2] Fordun a Goodal, vol. ii. p. 258. Robertson's Index to the Charters, Appendix, pp. 7, 8. The original deed is now lost, although it appears to have been in the hands of Sir James Balfour, who made the copy which now exists amongst the Harleian Manuscripts, No. 4694.

[3] Fordun a Goodal, vol. ii. p. 290. Robertson's Index, Appendix, p. 9.

[4] Fordun a Goodal, vol. ii. p. 275.

[5] This indenture is printed in Kames' Law Tracts, Appendix, No. 4. Fordun a Goodal, vol. ii. p. 287.

The expressions of the historian Fordun upon this occasion are different from what he generally uses. "In this year," says he, "at Cambuskenneth, the clergy of Scotland, with the earls, barons, and whole body of the nobles, along with the people there assembled, took the oaths of allegiance and homage to David, the son and heir of their king." On such an occasion, Bruce, whose health was fast declining, would be naturally desirous that the oaths to his son and successor should be tendered in the midst of a numerous and solemn concourse of his people. It may be presumed, therefore, on strong grounds, that the chief men of every burgh in the kingdom would be admitted into the parliament at Cambuskenneth.

This is the last parliament of Bruce regarding which we have any certain account. There can be little doubt, however, that a parliament was assembled at Edinburgh, in which the peace of Northampton, which for ever secured the independence of the kingdom, was debated on, and finally adjusted; as we know that a treaty was concluded at Edinburgh on the 17th of March 1327, which was afterwards ratified by Edward the Third at Northampton, on the 4th of May 1328. It is satisfactory to find that the expressions of this treaty clearly demonstrate that the burghs had been consulted in its formation. It is said to be concluded with consent of the prelates, earls, barons, and other heads of the communities of the kingdom of Scotland.[1]

In that disgraceful parliament held by Edward Baliol at Edinburgh, in 1333, in which this prince gave up the independence of the nation, and, by a solemn instrument, actually dismembered the kingdom, and annexed a great portion of its territory to England, the burghs did not appear,[2] an exemption of which Scotland ought to be proud. It is evident, indeed, from the account of it preserved in the original record in the Fœdera, that the assembly was not so much a parliament as a meeting of Baliol's adherents, held under the direction and control of Geoffrey Scrope, chief justice of England.

From this period, for more than twenty years, the history of the country presents us with a frightful picture of foreign and domestic war; of the minority and captivity of the sovereign; and the intrigues and treasons of the nobles: with the enemy constantly at their gates, and fighting daily for their existence as a people. During all this time, no parliament appears to have assembled; and the different regents who successively held the reins of government were summarily chosen by the voices of the few nobles who continued to struggle for their liberty.[3] There is not preserved to us a single document from which we can conclude that the prelates, the barons, and the community of burghs, ever consulted together throughout all this disastrous period; but, to this era of obscurity and darkness, there succeeds a gleam of light, which suddenly breaks in upon us in the negotiations for the ransom of the captive king, and sets the question as to the constitution of the Scottish parliament in 1357 nearly at rest. In a parliament held this year at Edinburgh, we know, from the original instrument preserved in the Fœdera,[4] that the representatives or delegates of the seventeen royal burghs formed the third estate in this great council; and when the prelates and the barons chose their respective commissioners to carry through the final arrangement regarding the restoration of their king, and the payment of his ransom, the royal burghs nominated, for the same end,

1 Robertson's Index, p. 103.

2 Rymer's Fœdera, vol. iv. p. 590.

3 In Fordun, book xiii. chap. xxii., xxv., xxvii., there are notices of the election of the Earl of Mar as regent, in a parliament held at Perth, 1332, and of the same high office being conferred, successively, on Sir Andrew Moray of Bothwell, in the same calamitous year, and on Archibald Douglas, in 1333; but the times were full of war and trouble, and all record of these elections has perished.

4 Fœdera, vol. vi. pp. 43, 44, 45. It is evident, I think, that the royal burghs also sat in the parliament held at Perth on the 17th January 1356-7.

eleven delegates, to whom ample powers were intrusted.[1]

It would have been impossible indeed for the nation to have paid the large ransom which was then exacted by England without the assistance of the class of the community which, next to the clergy, possessed the greatest command of ready money. It is important to observe that, in the record of the proceedings of this national council, which may be said to be the first Scottish parliament in which there is unquestionable evidence of the presence of the burghs as the third estate, the expressions employed in the instrument in Rymer are exactly the same as those which I have considered as demonstrative of the presence of the royal burghs in the parliaments of Baliol and Bruce. "De consensu et voluntate omnium comitum, procerum, et Baronum et Communitates regni Scotiæ."[2]

The records of the parliaments which were held by David after his return to his dominions in 1363, at Scone, being mutilated and imperfect, we are only able to say that the three estates were present;[3] but in the original record of the parliament held at Perth in 1364, it is not only certain that the representatives of the royal burghs formed the third estate, but the names of the worthy merchants who filled this important situation have been preserved.[4] Again, in a parliament held at Scone on the 20th July 1366, we find it stated in the initiatory clause that it consisted of those who were summoned to the parliament of the king according to ancient use and wont—namely, the bishops, abbots, priors, earls, barons, and free tenants, who hold of the king *in capite*, and certain burgesses who were summoned from each burgh to attend at this time, whilst, in a subsequent meeting of the great national council in the autumn of the year 1367, we find the earliest appearance of those committees of parliament which became afterwards so common, and, in all probability, gave rise to the later institution of the Lords of the Articles. It is stated that, in consequence of its being held at this season, "*causa autumni*," certain persons had been elected to hold the parliament, while permission was given to the rest of the members to return to their own business.[5] On this occasion thirteen burgesses were chosen by their brethren; the burghs of Edinburgh, Aberdeen, Perth, Dundee, Montrose, and Haddington, each being represented by two burgesses, and the burgh of Linlithgow by a single delegate. The expense and inconvenience occasioned by a summons to attend as members of the great national council are apparent in the record of a parliament which assembled at Scone, on the 12th of June 1368, and of a second meeting of the three estates, which took place at Perth on the 6th of March of the same year. In the firs the practice of obtaining a leave of absence, and sending commissioners in their place, appears to be fully recognised; and in the second we find the same measure again adopted, which is above alluded to, of making a selection of a committee of certain members, to whom the judicial business of the parliament, and the task of deliberating upon the affairs of the country, were intrusted, leave being given to the rest of the members to take their departure, and attend to their own concerns.

It has been already remarked,[6] that, in the last parliament of David the Second, which was held at Perth on

[1] Supra, p. 202.

[2] The consideration into which the burghs or the merchants of Scotland had arisen during those tedious negotiations for David's liberty, which called for an immediate supply of money, is evident from a deed in Rymer, vol. v. p. 723, in which the clergy, nobles, and merchants of Scotland gave their oaths for the fulfilment of certain conditions. It is dated 1351. And again, in the abortive treaty for the king's ransom, which was concluded in 1354, and which will be found in Rymer, vol. v. p. 793, certain merchants and burgesses of Aberdeen, Perth, Dundee, and Edinburgh, became bound for the whole body of the merchants of Scotland.

[3] Robertson's Parliamentary Records, pp. 96, 100.

[4] Ibid. p. 101.

[5] Robertson's Parliamentary Records, pp. 105, 108.

[6] Supra, p. 229.

the 18th of February 1369, this new practice of choosing committees of parliament was carried to a dangerous excess. To one of these committees, composed of six members selected from the clergy, fourteen from the barons, and six from the burgesses, was committed the decision of all judicial pleas and complaints, which belonged to the parliament; and to the other, which included in its numbers the clergy and the barons alone, was intrusted the consideration of certain special and secret affairs touching the sovereign and the kingdom, which it was thought expedient should be discussed by them alone previous to their coming to the knowledge of the great council of the nation.[1]

I have endeavoured to trace the history of the ancient constitution of our Scottish parliament from the earliest appearance of a national council to the era of the full admission of the burghs as a third estate. Guided in our investigation by the sure light of authentic records and muniments, or of almost contemporary historians, we have seen the earliest appearance of the commons or burghs under Baliol; their increased consequence in the conclusion of the reign of Bruce; and their certain and established right of representation during the reign of David the Second; and, in concluding this division of our subject, it may be remarked that the employment of the great national council in a judicial as well as a legislative capacity cannot be traced to an earlier period than the reign of this monarch.

SECTION IV.

EARLY COMMERCE AND NAVIGATION.

In the course of these observations upon the condition of the country during this remote period of our history, its commercial wealth and the state of its early manufactures are subjects of great interest, upon which it will be necessary to offer some remarks; and both points are so intimately connected with the navigation of the country, that it will be impossible to advert to the one without attending to the other. The general prosperity of the kingdom under the reign of Alexander the Third has already been noticed; and there is even reason to believe that, at an infinitely more remote period, the Scots had established a commercial intercourse with the continent, and, in the end of the sixth century, imported fine linen from foreign parts.[2] Under the reign of Macbeth—a monarch whom the patient research of our antiquaries has rescued from the region of fable and the immortal libels of Shakespeare—the kingdom was wealthy; and, from the discovery of large quantities of money coined by Canute, the almost contemporary King of England, we may infer the existence of some foreign commerce. It is certain that, in a pilgrimage to Rome, this king exhibited a liberality in distributing money to the poor which was considered remarkable even in that rich resort of opulent pilgrims.[3] The rich dresses which were imported by Malcolm the Third, the Asiatic luxuries of Alexander the First, and the grant by Edgar to the church of Durham of the duties on ships which entered the ports of a certain district in his dominions, all denote the existence of a trade with foreign countries.

Under the subsequent prosperous and able reign of David the First, the evidence of the Cartularies, and the minute and interesting details of his friend and biographer, Ethelred, enable us to form some idea of the commercial wealth of the nation. Scotland was, at this period, visited by many foreign ships; and the merchants of distant countries traded and exchanged their commodities with her opulent burghers. It was the praise of this monarch, to use the language of Fordun, "that he enriched the ports of

[1] Robertson's Parliamentary Records, p. 117.

[2] Macpherson's Notes on Winton, vol. ii. p. 479.

[3] A. D. MI. "Rex Scotiæ Machetad Rome argentum seminando pauperibus distribuit." Marianus Scotus. Macpherson's Notes on Winton, vol. ii. pp. 469, 479.

his kingdom with foreign merchandise, and to the wealth of his own land added the riches and the luxuries of foreign nations; that he changed its coarse stuffs for precious vestments, and covered its ancient nakedness with purple and fine linen."[1] In his reign the ports of Perth, Stirling, and Aberdeen were the resort of foreign merchant ships, which paid certain duties to government before they were permitted to trade; and out of the sums thus collected, the king, who favoured the Church, gave frequent grants to the monasteries and religious houses.[2]

One great cause of the wealth and prosperity of Scotland during those early times was the settlement of multitudes of Flemish merchants in the country, who brought with them the knowledge of trade and manufactures, and the habits of application and industry which have so long characterised this people. These wealthy citizens had been welcomed into England by the wisdom of Henry the First, and had settled upon the district contiguous to the Marches, from which they gradually spread into the sister country during the reign of Alexander the First. In 1155 Henry the Second, with angry and shallow policy, banished all foreigners from his dominions;[3] and the Flemings, of whom there were then great numbers in England, eagerly flocked into the neighbouring country, which offered them a near and safe asylum. Here, without losing their own particular tendency to make money by trade, and to establish commercial settlements, they accommodated themselves to the warlike habits of the people, and willingly served with other mercenary troops of the same nation in the king's army;[4] whilst, at the same time, their wealth and industry as traders, fishers, manufacturers, and able and intelligent craftsmen, made them excellent instruments in the hands of David the First for humanising and ameliorating the character of his people, and introducing amongst them habits of regular civil occupation.

We can trace the settlement of these industrious citizens, during the twelfth and thirteenth centuries, in almost every part of Scotland,—in Berwick, the great mart of our foreign commerce; in the various towns along the east coast; in St Andrews, Perth, Dumbarton, Ayr, Peebles, Lanark, Edinburgh; and in the districts of Renfrewshire, Clydesdale, and Annandale. There is ample evidence of their industrious progress in Fife, in Angus, in Aberdeenshire, and as far north as Inverness and Urquhart. It would even appear, from a record of the reign of David the Second, that the Flemings had procured from the Scottish monarchs a right to the protection and exercise of their own laws.[5] It has been ingeniously conjectured that the story of Malcolm the Fourth having dispossessed the ancient inhabitants of Moray, and of his planting a new colony in their stead, may have originated in the settlement of the Flemings in that remote and rebellious district.[6] The early domestic manufactures of our country, the woollen fabrics which are mentioned by the statutes of David, and the dyed and shorn cloths which appear in the charter of William the Lion to the burgh of Inverness,[7] must have been greatly improved by the superior dexterity and knowledge of the Flemings; and the constant commercial intercourse which they kept up with their own little states could not fail to be beneficial in importing the knowledge and the improvements of the continental nations into the remoter country where they had settled.[8]

The insular situation of Scotland, and the boisterous seas and high rocky coasts which defend it, must have early accustomed its inhabitants to direct their attention to the arts of shipbuilding and navigation. Other causes

1 Fordun a Goodal, vol. i. p. 305.
2 Dalrymple's Collections, p. 386.
3 Brompton, p. 1043.
4 Gulielmus Neubrigensis, p. 232.
5 Robertson's Index, p. 61.
6 Chalmers' Caledonia, vol. i. pp. 627, 628.
7 See also the charter of William the Lion to the royal burgh of Perth, in Cant's Muse's Threnodie, vol. ii. p. 6.
8 M'Pherson's Annals of Commerce, vol. i. p. 403.

increased this. The early intercourse and colonisation of the Western Islands, and of the mainland districts of Caithness and Sutherland, by the Norwegians, with the constant piratic battles which took place between this powerful people and the independent sea kings who broke off from their dominion, nursed up a race of hardy sailors and intelligent mercantile adventurers; and these, on becoming subjects and vassals of the Scottish kings, brought with them a stock of courage, skill, and enterprise, which was of the highest value to the nation.

It is singular, too, that in these remote islands, when they remained under the dominion of the Norwegians, there is reason to believe that the arts and manufactures had been carried to a high pitch of excellence. The Hebridean chiefs, in the exercise of piracy, the principal source of their wealth, and then esteemed an honourable profession, had made descents upon most of the maritime countries of the west of Europe; had become acquainted with the navigation of their seas, and carried off to their islands the silks, the armour, the golden vases, the jewelled ornaments, and the embroidered carpets and tapestry which they plundered from the castles, churches, and palaces of the west.[1] Their skill in navigation, and the formidable fleets which they could launch against their enemies, are attested in many passages of their own historians. Alan, lord of Galloway, one of those independent princes who often disdained to acknowledge the sovereignty of Scotland, fitted out a fleet of a hundred and fifty ships, and drove Olave the Black, king of Man, from his dominions.[2] At an era anterior to this, Reginald Somerled, then the king of Man, was so opulent as to purchase the whole of Caithness from William the Lion, an exception being specially made of the yearly revenue due to the sovereign.[3] Ewen of Argyle, one of these island chiefs, agreed, at an early period, probably towards the conclusion of the reign of Alexander the Second, to pay to the Scottish monarch an annual tribute of three hundred and twenty marks.[4]

Instructed by the vicinity of such enterprising navigators, and aware of the importance of a naval force, our early sovereigns made every effort to attain it. Alexander the Second, who died on the expedition which he had undertaken against Angus of Argyle, had collected, if we may believe the author of the Chronicle of Man, a great fleet; and there is reason to think that, during his reign, as well as under that of his predecessor William, the navy of the country became an object of royal attention and encouragement.[5] In the year 1249, Hugh de Chastillon, earl of St Paul, one of the richest and most powerful of the French barons, consented to accompany Lewis the Ninth to the Crusade; and it is certain that the ship which was to have borne him and his vassals to the Holy Land was built, by his orders, at Inverness. It may be inferred from this fact that the ship carpenters of Scotland had acquired a reputation at this period which had made them celebrated even in foreign countries; and it furnishes, perhaps, another proof of those vast forests of oak and fir which at this period covered the greater part of the north of Scotland.[6]

In naval and commercial enterprise, as in all the other arts and employments which contributed to increase the comforts and the luxuries of life, the clergy appear to have led the way. They were the greatest shipowners in the country; and the Cartularies contain frequent exemptions from the duties generally levied on the merchantmen who imported foreign manufactures, which are granted to the ships of the bishops, abbots, and priors, who embarked the wealth of their religious houses in these profit-

[1] M'Pherson's Annals of Commerce, vol. i. pp. 278, 279.

[2] Torfæi Orcades, lib. ii. This happened in 1231.

[3] Chronicon Manniæ, apud Johnstone, Antiquitates Celto-Normanicæ, p. 52. This happened in 1196.

[4] Ayloffe's Calendars of Ancient Charters, p. 336.

[5] Chronicon Manniæ, p. 36.

[6] Math. Paris, p. 668. Ed. a Wats.

able speculations. At this period the staple exports of Scotland seem to have been wool, skins, hides, and salted fish, in which there is evidence of a flourishing and constant trade.[1] For live stock also, embracing cattle, horses, and the indigenous sheep of the country, there seems to have been a frequent foreign demand; but the woollen and linen manufactures were too coarse to compete with the finer stuffs of England, Flanders, and Italy, and were probably exclusively employed for the clothing of the lower classes. Still, there is ample proof that, limited as was this list of exports, the wealth of the country, even in those districts which were considered especially wild and savage, was considerable. Under William the Lion, Gilbert, the lord of Galloway, was able, from the resources of his own exchequer, to offer to pay to Henry the Second a yearly tribute of two thousand marks of silver; five hundred cows; and five hundred swine.[2]

From the account which has already been given of the wealth of the royal revenue under our early kings, and of the large sums of money expended on various public occasions by David, William, Alexander, and Malcolm the Fourth, we must infer a correspondent increase of wealth in the different classes of the kingdom, especially in the mercantile and trading part of the community; and it is not improbable that many of these sums were partly contributed by an aid which was levied from the different orders of the state, although, if we except a few instances, all records of such grants have been lost. On one memorable occasion, where William the Lion had engaged to pay to John of England fifteen thousand marks, we have seen that the burghs contributed six thousand; a sum equal to more than sixty thousand pounds of our present money;[3] and the large sums collected by the Papal legates during the reign of Alexander the Second evince no inconsiderable wealth at this period.[4] A poor country would not have attracted such frequent visits from those insatiable emissaries of the Pope; and his Holiness not only continued his demands under the reign of Alexander the Third,[5] but appears to have highly resented the ambition of Edward the First when it interfered with them. The mercantile wealth and the general prosperity of the kingdom during the reign of Alexander the Third have been already noticed; and the arrival of the Lombard merchants with a proposal of establishing settlements in Scotland is an event which itself speaks a decided progress in mercantile wealth and opulence. The repeated shipwrecks of merchantmen, and the loss of valuable cargoes, which are described as being far more frequent in this reign than before, were evidently occasioned by the increased spirit of commercial adventure. Voyages had become more distant; the various countries which were visited more numerous; the risks of loss by piracy, tempest, or arrestment in foreign ports more frequent; and it is a circumstance worthy of note that the king, in consequence of this, became alarmed, and published an edict, by which he forbade the exportation of any merchandise from his dominions. "This measure," observes an ancient historian, "was not carried into execution without difficulty; and a year had not expired when the vessels of different nations, laden with merchandise, came into our ports, anxious to exchange their commodities for the productions of our country; upon which it was enacted that burgesses alone should be permitted to engage in traffic with these new comers." It is evident from all this that the Scottish exports were in considerable demand in continental markets; and the short-sighted policy of Alexander, in suddenly stopping the trade which was thus carried on, created a strong sensation, and occasioned an imme-

[1] Rymer's Fœdera, vol. iii. p. 95. Rymer, Coll. MS. vol. ii. p. 287, in M'Pherson's Annals of Commerce, vol. i. p. 436.

[2] This was in 1174. Benedictus Abbas, De vita Henrici II., p. 93.

[3] Fordun a Goodal, vol. i. p. 529.

[4] Math. Paris, a Wats., pp. 631, 422, 481, 509.

[5] Fœdera, vol. i. pp. 552, 553, 582, 608, 609. Fordun a Goodal, vol. ii. p. 122.

diate resort of foreign vessels into the Scottish ports. Upon this occasion, the Lombards, in their proposals to erect factories in Scotland, intended, probably, to step into the lucrative trade which the Scottish merchants, in consequence of the new edict of the king, were no longer permitted to carry on.[1]

One of the most interesting subjects connected with the trade and early commerce of the kingdom is the rise of the towns and royal burghs, and the peculiar circumstances which induced our kings to bestow so many privileges upon these early mercantile communities. It is evident that the Celtic inhabitants of the country were averse to settle or congregate in towns; and that, as long as Scotland continued under a purely Celtic government, the habits of the people opposed themselves to anything like regular industry or improvement.[2] Even so late as the present day, the pacific pursuits of agriculture, the labours of the loom, or the higher branches of trade and commercial adventure, are uncongenial to the character of this unsettled, though brave and intrepid, race; and the pages of contemporary and authentic historians bear ample testimony to the bitter spirit with which they resisted the course of civilisation and the enlightened changes introduced by our early kings. So much, indeed, is this the case, that the progress of improvement is directly commensurate with the gradual pressing back of the Celtic population into the remoter northern districts, by the more industrious race of the Saxons and the Anglo-Normans.

In this inquiry, a description has already been given of the royal and baronial castles of Scotland in those remote periods, and of the clusters of hamlets which arose under their walls, inhabited by the retainers of the prince or the noble upon whose bounty they lived, and whose power protected them from molestation. To these small villæ, and to the security which they enjoyed from the vicinity of the castle, is to be traced the first appearance of towns in Scotland, as in the other countries of Europe. Nor were the rich religious houses less influential than the royal and baronial castles; for their proprietors, themselves the most opulent and enterprising class in the community, encouraged the industry of their numerous vassals, and delighted to see the houses and settlements of wealthy and enterprising artisans arising under the walls of their monastery.[3]

The motives for the care and protection extended to such infant villages and communities are easily discoverable, if we recollect the description already given of the condition of a great portion of the lower orders of the people, out of which class the manufacturers and traders arose. They were slaves; and their children, their wealth, and the profits of their industry exclusively belonged to their lords; so that a settlement of wealthy manufacturers, or a community of successful and enterprising artisans, under the walls of a royal castle, or rich abbey, or within the territory of a feudal noble, was just so much money added to the revenue of the king, the baron, or the abbot.[4] As wealth increased with security and industry, the inhabitants of these communities began gradually to purchase their liberty from their lords,[5] and to form themselves into insulated associations, which, from their opulence, were able to bribe the sovereign to grant them peculiar privileges.[6] Into these bodies, freedom,

[1] Fordun a Goodal, vol. ii. p. 130. The places where the Lombards proposed to make their settlements were on the hill above Queensferry, or on one of the islands near Cramond.

[2] Ibid. vol. i. p. 44.

[3] Houard, Traités sur les Coutumes Anglo-Normandes, vol. ii. pp. 361, 362. Ducange, Gloss. voce Communia.

[4] Cartulary of Kelso, pp. 209, 221. Ibid. pp. 389, 408.

[5] In the Appendix to Lye's Saxon and Gothic Dictionary, No. V., published by Mr Manning, we find a very early instance of this, entitled, "Testificatio Manumissionis Aelwigi Rufi." It is as follows:—"Hic notificatur in hoc Christi libro, quod Aelfwig Rufus redemit seipsum de Aelfigo abbate, et toto conventu, cum una libra. Cujus est in testimonium totus conventus in Bathonia. Christus eum occæcet, qui hoc scriptum perverterit." Aelfigus was abbot between 1075 and 1087.

[6] Madox, History of the Exchequer, pp. 231, 275, 278, folio ed.

and the feeling of property, soon infused an additional spirit of enterprise, and transformed their members from petty artisans into opulent merchants, whose transactions embraced, as we have seen, a respectable commercial intercourse with foreign countries.

It was soon discovered by the monarchs of Scotland that these opulent communities of merchants formed so many different points, from which civilisation and improvement gradually extended through the country; and the consequence of this discovery was their transformation, by the favour of the sovereign, into chartered corporations of merchants, endowed with particular privileges, and living under the especial protection and superintendence of the king.[1]

In this manner, at a very early period, royal burghs arose in Scotland. The various steps of this progress were, in all probability, nearly the same as those which are pretty clearly seen in the diplomatic collections and ancient muniments of different European kingdoms; the hamlet growing into the village; the village into the petty town; and this last into the privileged and opulent burgh: and it is evident that our kings soon found that the rise of these mercantile communities, which looked up to the crown for protection, and repaid it by their wealth and their loyalty, formed a useful check upon the arrogance and independence of the greater nobles.[2] It is probably on this account that the rise of the burghs was viewed with great jealousy in France; and that their introduction into that kingdom is described, by a contemporary author, "as an execrable invention, by which slaves were encouraged to become free, and to forget their allegiance to their master!"[3]

At an early period in our history, the superior intelligence and the habits of industry of the English people induced our kings to encourage the tradesmen and the merchants of this nation to settle in these infant towns and communities. This policy seems to have been carried so far that, in 1173, under William the Lion, the towns and burghs of Scotland are spoken of by an English historian as almost exclusively peopled by his countrymen;[4] and so late as the time of Edward the First, when this king, previous to his decision of the question of the succession, made a progress through Scotland, and compelled the inhabitants to take the oath of homage, the proportion of English names in the Scottish burghs is very great.[5]

The earliest burghs which appear in Scotland cannot be traced to a remoter period than the reign of our first Alexander, under which monarch we find Edinburgh, Berwick, Roxburgh, and Stirling; to these Inverkeithing, Perth and Aberdeen, Rutherglen and Inverness, were added in the course of years; and the policy of David the First, of William the Lion, and of the monarchs who succeeded him, had increased the number of these opulent mercantile communities, till, in the reign of David the Second, we find them extending to seventeen. These royal burghs, and the lands which were annexed to them, were the exclusive property of the king, sometimes held in his own hands, and possessed in demesne, but more generally let out to farm. In this respect, the condition of the towns and burghs of England in the time of the Conqueror, as shewn in Domesday Book, was nearly similar to the state in which we find them in Scotland, from the reign of Alexander the First, to the accession of Robert the Second.[6] For the houses and factories possessed by the merchants, a certain rent was due to the exchequer; and previous to their appearance as a third estate in the great national council, the king appears to have had a right of calling upon his burghs to contribute aids or grants of money out of their coffers on any occasion of emergency.[7] The Car-

[1] Houard's Anciennes Loix des François, vol. i. p. 235.
[2] Fordun a Goodal, vol. i. p. 305.
[3] Ducange, Glossar. voce Communia.
[4] Gulielm. Neubrig. lib. ii. chap. xxxiv. p. 409.
[5] Prynne's Edward I., pp. 653, 663, inclusive.
[6] M'Pherson's Annals of Commerce, vol. i. p. 207.
[7] Fordun a Goodal, vol. i. p. 529.

tularies are full not only of grants from successive kings to new settlers, of lands in their various burghs, with the right of building on them, and of *tofts* or small portions of pasture and arable ground, but of annuities payable out of the royal farms, and pensions from the *census* of their burgesses, which testify the exclusive property of the sovereign in these infant mercantile communities.[1]

From an early period these communities enjoyed a right of determining, in a separate court of their own, all disputes which might arise amongst their mercantile subjects; and in addition to this privilege, a right of appeal lay from the decision of the individual court of the burgh to a higher tribunal, which was denominated the Court of the Four Burghs, and which owes its institution to the wisdom of David the First. The burghs which composed it were the four oldest in the kingdom, Berwick, Roxburgh, Stirling, and Edinburgh; and it was the duty of the Chamberlain of Scotland to hold a court or ayr[2] once every year, at Haddington, to which the four burghs sent four commissioners, for the purpose of hearing and deciding upon the appeals brought before them.

It seems to be certain that under David the First a code of mercantile law was gradually formed, which owed its origin to the decisions of this court, assisted probably by the practical wisdom of the most enlightened merchants and traders. It was known by the name of the *Assisa Burgorum*, and, in an interpolated and imperfect state, has reached our own times. In the famous state paper of Edward the First, known by the title of an "Ordinatio super stabilitate terræ Scotiæ," and published in 1305, the laws which King David had enacted are commanded to be read by the English guardian or lieutenant, in presence of the good people of the land; and in a charter which is granted by William the Lion to the burgh of Glasgow in 1176, that monarch refers to the assizes of his burghs, as an established code of law.[3] It is the judicious observation of Chalmers, that as Malcolm the Fourth is known not to have been a legislator, these assizes must be ascribed to David; and this is confirmed by the ancient and respectable authority of Fordun.[4]

The policy of the sovereign in the erection of these privileged communities was gradually imitated by the religious houses, and more rarely by the greater barons, who granted exclusive privileges to the towns or villages upon their territories, and turned their wealth into channels of mercantile adventure, employing the burghers to trade for them, and furnishing them with capital. In this way Selkirk was indebted, for its first passage from a village into a burgh, to the Abbot of Kelso; St Andrews, Glasgow, and Brechin, to the bishops of these sees; Newburgh, to the Abbot of Lindores. The town of Renfrew was expressly granted by David the First to Walter, the son of Alan; Lauder was early the property of the ancient family of the Morvilles; and Lochmaben, in consequence of a grant by David the First, belonged to the ancestors of Bruce. The rents of the houses and of the lands of these burghs; the customs levied upon the ships which traded to such as were situated on the sea coast, or on navigable rivers; and in all probability certain proportions of the profits of the various tradesmen and guild-brethren who inhabited them, belonged to the spiritual or temporal lord upon whose lands they were erected, and whose favour and protection they enjoyed. If in the various

[1] Cartulary of Kelso, p. 1. Cartulary of Inchcolm, p. 19. Cartulary of Scone, pp. 41, 57. The Cartularies abound with examples of this.

[2] Houard's Anciennes Loix des François, vol. i. p. 237. It is evident, from the description given by this learned writer of the rights of the burghs under the Normans, that the Court of the Four Burghs was of Norman origin.

[3] Gibson's History of Glasgow, p. 301. Ayloffe's Calendars of Ancient Charters, p. 335. M'Pherson's Annals of Commerce, vol. i. p. 440. The Lex Mercatoria of Scotland is referred to by Edward the First, as an established and well-known code, in the Rotuli Scotiæ, p. 3. 10th Aug. 1291.

[4] Fordun a Goodal, vol. i. p. 301. Cartulary of Glasgow, p. 73. Caledonia, pp. 726, 732.

revolutions and changes of the times his lands happened to escheat or be forfeited to the crown, the whole wealth which belonged to them, the granges, castles, manors, villages, and burghs, became the property of the sovereign; and in this way, in the course of years, many baronial or ecclesiastical burghs were changed into royal ones.

Although, however, the rise of these trading communities was in the first instance eminently beneficial to Scotland, and, it cannot be doubted, contributed to give an extraordinary impulse to the industry of the people, yet as soon as this commercial and manufacturing spirit was once roused into activity, the principle of monopoly in trade, for which the burghs contended, by giving a check to competition, must have ultimately retarded the improvement of the country. In the meantime, however, under the severity of the feudal system, burghs were in their first introduction cities of freedom; their inhabitants were no longer in the degrading condition of slaves, who could be transferred, like cattle or common property, from one master to another; and we know, from the statutes of the burghs, that the same law prevailed in our own country as in England and France, by which a vassal or slave, if he escaped from his feudal superior, and was so fortunate as to purchase a house within a burgh, and live therein for a year and a day, without being claimed by his master, became a freeman for ever.[1]

One of the consequences of this law was an increase in the trade and manufactures of Scotland. During the long period of foreign war, civil faction, and domestic feuds, which fills up the history of the country from the death of Alexander the Third to the settlement of the kingdom under Bruce, and after this, from the death of Bruce to the accession of Robert the Second, the constant changes and convulsions in the state of private property threw great multitudes of the lower classes of serfs and bondsmen loose upon society. These fugitives would naturally seek refuge in the cities and burghs belonging to the king; and bring with them an additional stock of enterprise and industry to the mercantile corporations, whose protection they enjoyed; in the course of years many of them must have risen to the state of freemen; and, in consequence of this increase in the number of free merchants and enterprising traders, the wealth of the kingdom, during the latter part of the reign of David the Second, became proportionally great. It unfortunately happened that the excessive drain of specie, occasioned by the payment of the king's ransom, and the personal expenses of the monarch, with the large sums of money levied for the maintenance of ambassadors and commissioners, soon swallowed up the profits of trade, and reduced the kingdom to the very brink of bankruptcy.

At a remote period, under Malcolm the Fourth, the great mart of foreign commerce was Berwick. A contemporary English historian distinguishes it as a noble town, and as it possessed many ships, and enjoyed more foreign commerce than any other port in Scotland,[2] it shared the fate of all other opulent towns on the coast, in being exposed to the descents of the piratic fleets of the north. Erlind, a Norwegian, and Earl of Orkney, in 1156, carried off a ship belonging to a citizen of Berwick, whose name was Cnut the Opulent; and we learn from Torfæus, who has preserved the story, that the merchant, incensed at the loss of his property, instantly hired and manned fourteen vessels, for which he paid one hundred marks of silver, and with these gave immediate chase to the pirates. Under succeeding sovereigns it increased in trade and opulence; till we find it, in the reign of Alexander the Third, enjoying a prosperity which

[1] M'Pherson's Annals of Commerce, vol. i. p. 307. Leges Ed. et Will. chaps. lxi. lxvi., in Selden's Eadmer, pp. 191, 193. Laws of the Burghs, chap. xvii. Houard, in his Anciennes Loix des François, vol. i. p. 238, says this privilege belonged only to royal burghs under the Normans.

[2] Gulielm. Neubrig. book v. chap. xxiii. Torfæi Orcades, book i. chap. xxxii. pp. 131, 132.

threw every other Scottish port into the shade, and caused the contemporary author of the Chronicle of Lanercost to distinguish it by the name of a Second Alexandria.[1] It enjoyed a lucrative export of wool, wool-fels, and hides, to Flanders; it was by the agency of the merchants of Berwick that the produce of Roxburgh, Jedburgh, and the adjacent country, in these same commodities, was shipped for foreign countries, or sold to the Flemish Company established in that city; its export of salmon was very great; and the single fact that its customs, under Alexander the Third, amounted to the sum of £2197, 8s. sterling, while the whole customs of England, in 1287, produced only £8411, 19s. 11½d., amply demonstrates its extraordinary wealth.[2]

At this period the constitution of the towns and burghs in Scotland appears to have been nearly the same as in the sister country. Berwick was governed by a mayor, whose annual allowance for his charges of office was ten pounds, a sum equivalent to more than four hundred pounds of our present money.[3] Under this superior officer were four provosts, or *præpositi*. At the same period, Perth, Stirling, Roxburgh, and Jedburgh were each governed by an alderman, who appears to have been the chief magistrate; Glasgow by three provosts; Haddington by one officer under the same name; whilst the inferior burghs of Peebles and Montrose, of Linlithgow, Inverkeithing, and Elgin were placed under the superintendence of one or more magistrates called bailies. These magistrates all appear as early as the year 1296;[4] and, it seems probable, were introduced into Scotland by David the First, whose enlightened partiality to English institutions has already been noticed in this history.

The comparative state of the trade and exports of the remaining burghs of the kingdom, at this early period, cannot be easily ascertained. Perth, which had become opulent and flourishing in the time of William the Lion, by whom it was erected into a royal burgh, increased in its wealth and consequence under Malcolm the Fourth, who made Scone, the neighbouring monastery, the principal seat of his kingdom. The resort of the court, and the increased demand for the articles of domestic manufacture and foreign commerce, gave a stimulus to the enterprise and industry of the infant burgh; and a contemporary poet, whose works have been preserved by Camden, characterises Perth as one of the principal pillars of the opulence of the kingdom.[5]

These few and scattered, but authentic facts, regarding our early commerce and manufactures, make it evident that in such great branches of national wealth there is a discernible improvement, from the remote era of Malcolm the Third, to the period of the competition for the crown. Indeed, immediately before the commencement of the war of liberty, the commercial transactions of the country were of consequence enough to induce the merchants of St Omers, and partners of the Florentine houses of Pullici and Lambini, to have correspondents in Scotland; and about the same period we find that Richard le Furbur, a trader of the inland town of Roxburgh, had sent factors or supercargoes to manage his business in foreign countries, and in various parts of Britain.

With regard to the exports of the country at this time, we find them composed of the same articles as those already described; wools, skins, hides, and wool-fels; great quantities of fish, salted and cured;[6] horses, sheep, and cattle;[7] and more rarely, pearls, falcons, and greyhounds. It is singular to find so precious an article as pearls amongst the subjects of Scottish trade;

1 History, p. 43.

2 M'Pherson's Annals of Commerce, vol. i. 446, with MS. note by the author. Rymer, vol. ii. pp. 605, 613.

3 Rotuli Scotiæ, 8 Ed. III., m. 16.

4 Prynne's Edward I., pp. 653, 654. Rymer's Collection of MSS. vol. iii. No. 116; quoted by M'Pherson in Annals of Commerce, vol. i. p. 446.

5 Necham apud Gough's Camden's Brit., vol. iii. p. 393.

6 Rotuli Scotiæ, vol. i. pp. 40, 911, 929, 941, 944.

7 Ibid. p. 881.

yet the fact rests on good authority. The Scottish pearls in the possession of Alexander the First were celebrated in distant countries for their extreme size and beauty; and as early as the twelfth century there is evidence of a foreign demand for this species of luxury.[1] As the commercial intercourse with the East increased, the rich Oriental pearl, from its superior brilliancy and more perfect form, excluded the Scottish pearls from the jewel market; and by a statute of the Parisian goldsmiths, in the year 1355, we find it enacted that no worker in gold or silver shall set any Scottish pearls with Oriental ones, except in large ornaments or jewels for churches.[2] It is curious to find among the exports the *leporarii*, or greyhounds of the country, which were famous in France; for in 1396 the Duke de Berri sent his valet and three attendants into Scotland on a commission to purchase dogs of this kind, as appears by the passport preserved in Rymer;[3] and, at an earlier period under the reign of David the Second, Godfrey de Ross, an English baron, procured from Edward the Third a safe-conduct for his shield-bearer and two attendants who were travelling from Scotland with dogs and falcons, and who purposed to return into the same country, under the express condition that they did not abuse their privilege by carrying out of England either bows, arrows, arms, or gold or silver, in the form of bulk, plate, or money.[4]

Of the imports of Scotland at the same period it is difficult to give anything like an accurate or satisfactory account. Fine linen and silks; broad cloth, and a rich article called *sayes*, manufactured in Ireland from wool, and esteemed so beautiful as to be worn by the ladies of Florence;[5] carpets and tapestry; wine, oil of olives, and occasionally corn and barley;[6] spices and confectionary of all kinds; drugs and electuaries; arms, armour, and cutlery, were the chief commodities: and it has already been observed that many articles of Asiatic luxury and magnificence had reached our country, by means of a constant communication with the Flemish and Italian merchants. In 1333 we know, from an authentic instrument preserved in the Fœdera, that the Scottish merchants were in the custom of importing from the county of Suffolk vases of gold and silver into Scotland, besides silver in bars and in money;[7] a proof that the silver mine which David the First worked at an early period in Cumberland, and the gold of Fife, to which the same monarch alludes in the Cartulary of Dunfermline, had neither of them been turned to much account.[8]

Under the reign of Bruce, and during the long war with England, every possible effort was made by Edward the First and his successor to crush and extinguish the foreign trade of Scotland; but the success does not appear to have been in any degree proportionate to their exertions. All English or Irish merchants were prohibited, under the severest penalties, from engaging in any transactions with that country; and repeated requests were addressed to the rich republics of the low countries, to the courts of Flanders, and the Dukes of Brabant, to induce them to break off all traffic with the Scots;[9] but the exertions of contraband traders and privateer vessels eluded the strictness of the prohibitions against English and Irish trade;[10] and the Flemings and Bra-

1 Nicolai Epist. in Anglia Sacra, vol. ii. p. 236. "Præterea rogo et valde obsecro ut margaritas candidas quantum poteris mihi adquiras. Uniones etiam quascunque grossissimas adquirere potes. Saltem quatuor mihi adquiri per te magnopere postulo; si aliter non vales saltem a rege, qui in hac re omnium hominum ditissimus est, pro munere expete."—M'Pherson's Annals of Commerce, vol. i. pp. 318, 555.

2 Du Cange, Gloss. voce Perlæ.

3 Rymer's Fœdera, vol. vii. p. 831.

4 Rotuli Scotiæ, vol. i. p. 891.

5 M'Pherson's Annals of Commerce, vol. i. p. 562.

6 Rotuli Scotiæ, vol. i. p. 891.

7 Rymer's Fœdera, vol. iv. p. 575.

8 Johan. Hagulstad. p. 280. Cart. of Dunferm. folio 7; quoted in Dalzel's Tract on Monastic Antiquities, p. 30.

9 Rotuli Scotiæ, vol. i. p. 136. 1st April 1314. Ibid. 140. Rymer, vol. iv. p. 715.

10 Rotuli Scotiæ, vol. i. pp. 491, 525.

banters steadily refused to shut their ports against any nation which could pay for their commodities. In 1315, a fleet of thirteen ships or galleys belonging to the Scots, and other "*malefactors*" who adhered to them, was at anchor in the port of Sluys in Flanders, waiting to be laden with arms, victuals, and other goods, which they intended to export from that country into Scotland, when Edward the Second, as the public order relative to the circumstance informs us, adopted vigorous, but apparently unsuccessful, measures for intercepting them.[1] To Bruce, whose life was spent in almost uninterrupted war, the great articles of demand were those which he could use for his soldiers and knights: arms of all kinds, helmets, cuirasses, chamfreyns, and horse armour, swords and daggers, bows of English yew, spear shafts, and lances, formed the staple cargoes of the Flemish merchantmen which traded to his dominions; but, on the other hand, the export trade of the country, which had been principally carried on through England and Ireland, although not extinguished, experienced a material depression. But although some branches of national wealth were rendered less productive, other sources were opened peculiar to war. The immense plunder taken at Bannockburn; the large sums of money paid by the English nobles and barons for their ransom; the subsequent plunder in the repeated invasions of England; and the frequent and heavy sums which were subscribed by the Border counties, to induce the Scottish leaders to spare their towns and villages, enriched the kingdom, and provided a mass of capital which is distinctly perceptible in the increased commercial speculation of the subsequent reign, and in the spirited and successful efforts made by the nation in fitting out a navy.

Previous to the accession of David the Second, we have already seen that little traces of a regular naval force exist in Scotland; and although the fleets of William the Lion and that of his successor, Alexander the Second, are commemorated in the Chronicle of Man, it seems probable that these naval armaments were furnished by the island vassals, who owned the superiority of the Scottish crown, and who held their lands by the tenure of furnishing a certain number of galleys for the use of the king.[2] The maritime exploits of these kings were temporary and insulated; and the same observation applies to the naval expeditions of their successors. It appears, indeed, from a passage in the Chamberlain Rolls of Alexander the Third that, in 1263, this monarch was in possession of several vessels, which, under the direction of the Earl of Menteith, were built in the port of Ayr, and that two hundred oars were manufactured for their use;[3] but it is evident, from Alexander declining any naval contest with the King of Norway, that his fleet could neither have been numerous nor powerful.

The reign of Bruce being principally occupied with a land war, his efforts for distressing his enemy by sea were mostly confined to the commissioning piratic ships from the Flemings and Genoese, which cruised upon the English coasts, and in the double capacity of traders and ships of war, landed their cargoes in Scotland and attacked the English merchantmen and victuallers. Yet there is evidence in that interesting portion of the Chamberlain Accounts which relate to the expenditure of Bruce at his palace of Cardross the year before his death, that he and his old companion in arms, the great Randolph, were anxiously directing their attention to the subject of shipping and navigation.

But the navy assumes a different and more formidable appearance under the reign of David Bruce. The Scottish ships of war, along with numerous

[1] This instrument is one of the deeds added by the editors of the new edition of the Fœdera Angliæ, vol. ii. part i. p. 265. The original is in the Tower.

[2] Fordun a Goodal, vol. ii. p. 101. Robertson's Index, p. 100.

[3] Excerpta ex Rotulo Compotorum Temp. Alexander III., p. 10.

squadrons of foreign privateers in the pay of the Scots, swept the seas round England, plundered their merchant vessels, and made repeated and successful descents upon the coast, burning and destroying the seaport towns, and creating extreme alarm in the country. In 1334, a fleet of Scottish ships of war threatened a descent on the coast of Suffolk; in the subsequent year, twenty-six galleys and other ships were hovering and watching their opportunity for attack off the coasts of Chester and Durham; and not long after this, notwithstanding the utmost exertions by the English government to fit out a fleet which should put an end to the naval aggressions of the Scots, and precautions taken to spread the alarm in case of any hostile descents, by lighting beacons upon the cliffs above the sea; the towns of Portsmouth, Fodynton, Portsea, and Easten, were burnt and plundered, and the country threatened with invasion by a numerous fleet of foreign ships and galleys, whose approach is described by Edward the Second in an order addressed to the sheriffs of England, and evidently written under extreme apprehension.[1] Yet the probability is, that none of these vessels were the property of the king, but merchant ships of Scottish and foreign traders fitted up for the expedition as ships of war, and commissioned, like the mercenary troops of Hainault or Switzerland, to assist whatever country chose to pay them the highest price for their services.

At this period, the same mode of fitting out a fleet of ships of war was adopted in both countries. There appears to have been no regular permanent naval force of any consequence maintained in either.[2] In England, as the emergency of the moment required, the monarch was in the habit of directing his writs to the wardens of the Cinque Ports, and to the magistrates of the different seaports, empowering them to press into the service, and instantly arm and victual, any number of vessels he deemed necessary, and to commission such merchantmen as were fond of the adventure to fit out their traders as *naves guerrinæ*, or ships of war,[3] with the right of attacking the enemies of the king, under the condition of giving up half the profits in the event of a successful capture.[4] We may form some idea of the size and strength of these vessels from an order issued by Edward the Third during his Scottish war, to the Mayor of Bristol, in which this magistrate is commanded to arrest three of the largest ships then in the port of that city. These are described to be two of a hundred tons, and one of sixty tons burden, on board of which a hundred and thirty-two men are instantly to be put for the king's service, which force is mentioned in the order as being double the ordinary complement of mariners and soldiers.[5] Many of the privateers, however, which were at this time employed by the Scots against England appear to have been vessels of larger dimensions and more formidable equipment than those of England, probably from their being foreign built, and furnished by the Flemings, the Genoese, or the Venetians, for the purposes both of trade and piracy. In 1335, a large foreign ship, laden with arms, provisions, and warlike stores, arrived in the port of Dumbarton; and for the purpose of intercepting her Edward not only ordered two of the largest merchantmen of Bristol to be manned and provisioned as ships of war, but commanded Roger de Hegham, his admiral of the western fleet, to fit out two other vessels, with a double complement of men, to be employed apparently on the same service.[6]

[1] Rotuli Scotiæ, vol. i. pp. 299, 317. Ibid. pp. 320, 363, 440. Rymer's Fœdera, new edit. vol. ii. part ii. pp. 1055, 1067.

[2] M'Pherson's Annals of Commerce, vol. i. p. 378.

[3] M'Pherson's Annals of Commerce, vol. i. p. 430.

[4] "Galfridas Pypere Magister navis que vocatur le Heyte habet licentiam gravandi inimicos Regis ita quod de medietate lucri Regi respondeat." Teste R. apud Burdegalliam xiii. Feb. 28. Henry III., m. 16. Rotuli Pat. MS. note, by M'Pherson in his own copy of the Annals of Commerce, vol. i. p. 394.

[5] Rotuli Scotiæ, vol. i. p. 231. 24th April 1333.

[6] Ibid. vol. i. p. 340.

In 1357, three Scottish ships of war, manned with three hundred soldiers, infested the east coast, and grievously annoyed the English commerce. This large complement of soldiers must have been exclusive of the sailors employed to navigate the ships, and proves them to have been of large dimensions when compared with the ordinary vessels of the time.[1] In the same year we have seen that the Scottish privateers captured a vessel called the Beaumondscogge, which was the property of that powerful baron, Henry de Beaumont, who, along with Baliol and the rest of the disinherited nobles, succeeded in driving David the Second from the throne; and soon after, the united fleets of the Scots and their allies increased in numbers and audacity to such a degree, that the English coasts were kept in a state of continual terror. The merchantmen did not dare to sail except in great squadrons, and with a convoy of ships of war; and even when riding at anchor within the harbours were cut out and carried off by the superior naval skill and courage of the Scottish seamen and their allies.[2] In a remarkable order, addressed by Edward the Third to his admirals and naval captains, this monarch complains in bitter terms of their pusillanimous conduct, in permitting the united fleets of the Scots, French, and Flemings to capture and destroy the ships of England in the very sight of his own navy, which kept aloof during the action, and did not dare to give battle.[3]

Such appears to have been the great superiority of the Scottish navy over that of England in the beginning of the reign of David the Second. Meanwhile, the long and inveterate war between the two countries, which arose out of the aggressions of Edward the First, entirely extinguished the regular Scottish commerce with that country. From the year 1291 to 1348 there appear only three safe-conducts for English merchants, permitting them to trade with Scotland; and those repeated proclamations which were made against any commercial intercourse seem to have been so rigorously executed, that in this long interval, embracing more than half a century, we do not find a single passport for a Scottish merchant, allowing him to visit England for the purposes of trade.

In 1348, the Scots being included in the truce of Calais, the commerce of England, for the first time since the long war, was thrown open to their skill and enterprise; and in a few years the mercantile intercourse between the two countries rapidly increased. At the request of the Queen of Scotland, important privileges were granted to the Scottish merchants; the Scottish nobles possessed companies of merchants, who speculated on their account, and under their protection;[4] and we have seen that, instead of the rigid and determined exclusion from all trade with their dominions, which for so long a time formed part of the policy of the three Edwards to their Scottish enemies,[5] a system of great liberality and indulgence was pursued, under which the commerce of both countries was carried on with a surprising degree of energy and enterprise.

The large sums of money which were drawn from the country for the ransom of the king; the expenses incurred by the residence and ransom of the noble prisoners taken in the battle of Durham; and the reiterated and heavy payments which were made during the various and protracted negotiations with England, exhibit in a striking manner the increasing opulence of the country; and it cannot be doubted that one great source of this wealth is to be traced to the improved state of the national commerce, and to the increasing wealth of the traders and manufacturers. I shall conclude this sketch of the early commerce and navigation of Scotland by a

[1] Knighton, 2617.
[2] Rotuli Scotiæ, pp. 451, 456, 467, 477.
[3] Ibid. vol. i. p. 513. Ibid. 498.
[4] Rotuli Scotiæ, vol. i. pp. 758, 823. "Salvus conductus pro mercatoribus Willielmi de Douglas."
[5] Rotuli Scotiæ, vol. i. p. 140.

few remarks upon the money of those times, and upon the wages of labour, and the prices of the necessaries of life.

All the Scottish coins which have yet been discovered previous to the reign of Robert the Second are of silver; and this fact of itself furnishes, if not absolute proof, at least a strong presumption, that anterior to this period there was no gold coinage in Scotland.[1] Of this early silver money the most ancient specimens yet found are the pennies of Alexander the First, who succeeded to the throne in the commencement of the twelfth century; after which we can trace a regular coinage of silver pennies under the reigns of David the First, William the Lion, and the successive sovereigns who filled the throne, with the exception of Malcolm the Fourth, whose money, if in existence, has hitherto eluded the utmost research of the Scottish antiquary. The silver pennies of Alexander the First, now extremely rare, are of the same fineness, weight, and form as the contemporary English coins of the same denomination, and down to the time of Robert the First the money of Scotland was of precisely the same value and standard as that of England.

Towards the conclusion of the reign of William the Lion, that monarch reformed the money, which had been somewhat debased from its former standard;[2] perhaps in consequence of an attempt to supply in this way the large sums which this monarch paid to Richard the First.[3] During the succeeding reign, the standard value and the device continued the same as under William; but almost immediately after the accession of Alexander the Third the ministry of this infant sovereign borrowed from England what was deemed an improvement in the mode of stamping the reverse. The history of this alteration is curious. It appears that in 1248, the sterling money of England had been defaced, by clipping, to such a degree that the letters of the inscription were almost entirely cut away; and the delinquents were suspected to be the Jews, the Caursini, and the Flemish wool merchants.[4] At a meeting of the king's council, which was summoned to advise what steps ought to be taken, some of the members recommended that, in imitation of the money of France, the quality of the silver in the English money ought to be debased, under the idea that the temptation to make profit by clipping would thus effectually be removed. Fortunately this advice, which marks a rude age, and a limited knowledge on the subject, was not adopted; but proclamation was made that all the defaced coin should be brought into the king's exchanges, and that a new coinage should be struck, out of which those who brought in the clipped money were to be paid weight for weight. On the old coins, the cross upon the reverse side had only reached half way from the centre to the edge, in consequence of which an expert clipper might have pared away a considerable breadth, without much chance of detection; but now the expedient was adopted of carrying the arms of the cross through the letters of the legend, and a border of small beads was added round the outer extremity; so that the money could not be clipped, without at least a greater chance of discovery.[5] The immediate adoption of this clumsy expedient in Scotland was probably occasioned by the same abuse of clipping having been practised in that country.[6]

In Scotland, the very first sensible

[1] In a parliament held at Scone by David the Second, in 1369, there is mention of gold money. Robertson's Parliamentary Records, p. 117. But the gold money of England was then current in Scotland, and the enactment may refer to it. Ruddiman's excellent Introduction to Anderson's Diplomata, pp. 54, 55.

[2] M'Pherson's Annals of Commerce, vol. i. p. 356.

[3] Winton's Chron. vol. i. p. 342. Chron. Melross, p. 102.

[4] Mathew Paris a Wats., p. 639.

[5] "Ut non sine evidenti, et valde notabili dispendio, aliquid inde radi possit vel abscindi."—Annales Waverleenses, p. 207.

[6] Fordun a Goodal, vol. ii. p. 83. The same monarch, Alexander the Third, appears to have coined silver pieces of two pennies. M'Pherson's Annals of Commerce, vol. i. p. 432.

diminution of the purity of the standard money was introduced by Robert Bruce; but the exact date of the depreciation is unknown. Like the other alterations in the coinage, it was adopted in imitation of England; and proceeded upon the unjust and erroneous idea that the wealth of the kingdom might be increased by multiplying the number of pennies coined out of the pound of silver. In 1300, Edward the First commanded two hundred and forty-three pennies to be coined out of the standard pound, instead of two hundred and forty, which was the old rate.[1] A diminution of three pennies in the value of the pound of account was deemed, perhaps, too trifling and imperceptible a change to be in any way detrimental; and the Scottish monarch not only followed, but went beyond, the pernicious example of England; for, under the expectation that the pennies of both kingdoms would, as before, continue to pass indiscriminately, he coined two hundred and fifty-two pennies from the pound weight of silver,—an impolitic departure from the integrity of the national money, which had hitherto been strictly observed by the government of the country.[2]

From this time till 1354 there appears to have been no change in the money of Scotland; which, according to a proclamation of Edward the Third, was received as of the same weight and alloy as the money of England.[3] This monarch, however, finding himself much distressed by the debts which he had incurred in his French war, unfortunately relieved himself by repeating the expedient which he had already partially adopted, although as dishonest as it was injurious to the best interests of his kingdom. In order to pay his creditors with less money than he had borrowed, he commanded two hundred and sixty-six pennies to be made out of the pound of standard silver; and afterwards, in the year 1346, he diminished the money still further, by making two hundred and seventy pennies out of the pound,—a proceeding by which the people were greatly distressed, owing to the consequent rise in the prices of all the necessaries of life.

In 1354, the Steward, who was now regent in Scotland during the captivity of David, imitating this mistaken policy, issued a new coinage, which was not only far below the original standard in value, but even inferior to the money of England, depreciated as it then was. We are informed of this fact by a proclamation which the issue of this new money of Scotland drew from Edward the Third. In a letter to the Sheriff of Northumberland, the king informs him that the new money of Scotland, although of the same figure with the old, was not, like it, of the same weight and quality with the sterling money of England; and he accordingly commands that officer to make proclamation within his district, that the new Scottish money should be taken only for its value as bullion, and carried to the proper office to be exchanged for current money; but that the old money of Scotland, which, as appears from what was above stated, was considerably better than that of England, should be still current as before."[4]

Soon after the return of David the Second to his dominions, he appointed Adam Torre, a burgess of Edinburgh, and James Mulekin of Florence, joint keepers of the Exchange for all Scotland, and Masters of the Mint. Foreigners appear to have been the great coiners or minters of those times. At an earlier period, in 1278, the Exchange at London was under the direction of some Lucca merchants and

[1] Topham's Observations on the Wardrobe Account of Edward the First, p. 11. "The pound weight of silver then (31 Ed. I.) consisted of twelve ounces, each containing twenty pennyweights, or of two hundred and forty pennies. These pennies were composed of mixed silver; one pound, or twelve ounces, of which contained eleven ounces and two pennyweights of fine silver, and eighteen pennyweights of copper or alloy."

[2] M'Pherson's Annals of Commerce, vol. i. p. 466. Folkes on English Coins, pp. 8, 142. Edition 1763.

[3] Rymer's Fœdera, vol. v. p. 813.

[4] M'Pherson's Annals of Commerce, vol. i. p. 554. Rymer's Fœdera, vol. v. p. 813. "Supra nova moneta Scotiæ."

Gregory de Rokesley the mayor.[1] In 1366, the Scottish parliament had ordered the money of the kingdom to be coined of the quality and weight with that of England;[2] but, in the subsequent year, the extreme scarcity of silver money, occasioned by the drain of specie from the country for the king's ransom, and other expenses, created an alarm, which unfortunately caused the parliament to relapse into the erroneous notion that the wealth of the kingdom might be increased by diminishing the intrinsic value, and increasing the number of the pieces coined. This produced an order, by which it was declared that the standard pound of silver should be diminished in the weight by ten pennies; so that henceforth the pound of silver should contain twenty-nine shillings and four pennies; out of which seven pennies were to be taken for the king's use.

To understand this order, it must be remembered that the only coins which had yet been struck, either in England or Scotland, were pennies, with their halves and quarters, along with a few groats and half groats; so that when the parliament enacted that the pound of silver should contain twenty-nine shillings and four pennies, it was saying, in other words, that it was to be coined into three hundred and fifty-two pennies; an enormous departure from the integrity of the old standard of two hundred and forty pennies in the pound. In the same ordinance it is provided that eleven pennies are to be taken for the Master of the Mint and the payment of the workmen, and one penny for the Keeper of the Mint. If to these we add the seven pennies for the king's use, twenty-seven shillings and nine pennies would remain to the merchant for the pound of silver;[3] so that, by this change in the coinage, the king practised an extensive and grievous fraud upon his subjects.

[1] Madox's Hist. of Exchequer, chap. xxii. § 4, chap. xxiii. § 1. Compotum Custodis Monete, vol. i. Accounts of the Great Chamberlains of Scotland, pp. 401, 402.

[2] Robertson's Parliamentary Records, p. 104.

[3] Ibid. p. 109.

It is curious to attend for a moment to the consequences of this depreciation of the money of the country. They are distinctly to be traced in a statute soon after passed by Edward the Third.[4] There was, in the first place, a rise in the prices of all the necessaries of life; so that the labouring classes, being paid at the same rate as before, found that they could not procure the same subsistence. This they patiently bore for some time; but when the immense mortality occasioned by the pestilence had diminished the number of working men, and thus created a great demand for labour, the survivors naturally seized the opportunity to raise their prices; and, in consequence of this, the king, with the advice of his parliament, enacted the Statute of Labourers, "by which all men and women under sixty years of age, whether free or slaves, and having no occupation or property, were compelled to serve any master who hired them, for the same wages which were given before the year 1346, under pain of imprisonment." Artificers were, at the same time, prohibited from exacting more than the old wages; and the butchers, bakers, brewers, and other dealers in provisions were strictly enjoined to sell their commodities at reasonable prices.

The legislators of those remote times had not yet learned that the price of food must be the standard for the price of labour; and that by depreciating the coin of the kingdom they raised the prices of the necessaries of life, and compelled the labouring classes to adopt the very conduct of which they complained. There can be no doubt that the consequences of the depreciation in Scotland must have been the same as in the sister country; and the sumptuary laws, which we find enacted towards the conclusion of the reign of David the Second, with the statutes regarding carrying the coin "furth of the realm," are to be traced to the same causes as those

[4] Statute 23 Ed. III. M'Pherson's Annals of Commerce, vol. i. p. 542.

which led to the statute of labourers in England.[1]

The price of labour, of the necessaries of life, and of the articles of comfort or luxury, forms at all times an interesting subject of inquiry, probably from that strong and natural desire which we feel to compare our own condition with that of our fellow-men, however remote may have been the period in which they lived. Upon such points, however, previous to the transcription and printing of the Accounts of the Great Chamberlains of Scotland, little satisfactory information could be collected; for our most ancient historians, although they occasionally mark the prices of provisions and of labour, commonly do so in years of scarcity, when the high rate to which they had risen fixed their attention upon the subject; and upon such data no correct inquiry could be founded.[2] These accounts, on the contrary, as they contain the ordinary and common prices of most articles, are on this, as on all other points which they embrace, our most authentic guides.

It will be recollected that the value and the denomination of money, down to the reign of Robert the First, continued the same in Scotland and in England; and that, even under Edward the Third, the depreciation of the Scottish money could not be very great, as it required a royal proclamato put the people on their guard against it.[3]

To begin with the price of grain, we find that, in 1263, a chalder of oatmeal, fourteen bolls being computed for a chalder, cost exactly one pound.[4] In the same year, six chalders of wheat were bought for nine pounds three shillings.[5] The prices, however, varied occasionally, as we might expect. In 1264, twenty chalders of barley sold for ten pounds, although, in 1288, the price had fallen so low that we find forty chalders sold for six pounds thirteen shillings and fourpence, being at the rate of forty pence the chalder.[6] In 1288, twelve chalders of wheat brought twelve marks, or thirteen shillings and fourpence the chalder.[7] In 1290, a chalder of barley sold for ten shillings, and a chalder of rye for four shillings;[8] while, in 1329, we find the prices of the same grain fluctuating from twenty to twenty-four shillings the chalder for the best barley.[9] In 1326, four chalders of oatmeal cost a hundred and six shillings and eightpence, being at the rate of twenty pence the boll; whilst, of the same date, the same kind of grain, but probably of a superior quality, sold for two shillings the boll.[10] In 1360, a chalder of barley cost thirteen shillings and fourpence, and five chalders of wheat brought eight pounds; whilst, five years after this, four chalders and eleven bolls of fine wheat could not be had under twelve pounds sixteen shillings.[11] About the same time, twenty-nine barrels of beer, purchased for the king's household, cost eleven pounds nine shillings, and fifty-five barrels of herring twenty-nine pounds nineteen shillings.[12] As far back as 1263, we find that the price of a cow was four shillings and fivepence;[13] and that thirty *muttons* were purchased for the king's table, at the rate of twenty-five shillings, averaging exactly tenpence a piece.[14] In the following year, forty cows were sold for ten pounds, the price of each being five shillings; whilst thirty-eight swine brought fifty-

[1] Statuta Davidis II. Regiam Majestatem, pp. 45, 46. Robertson's Parliamentary Records, pp. 106, 117.

[2] Preface to Fleetwood's Chronicon Preciosum.

[3] Madox's History of Exchequer, vol. i. p. 277. 4th Edition. The pound of silver by tale was twenty shillings; the mark of silver thirteen shillings and fourpence, or one hundred and sixty pennies.

[4] Chamberlains' Accounts, p. 9. Temp. Regis Alexander III., p. 66. [5] Ibid. p. 9.

[6] Chamberlains' Accounts, p. 66.

[7] Ibid. p. 69. [8] Ibid. p. 77.

[9] Ibid. vol. i. p. 37.

[10] Ibid. Compotum Constab. de Tarbat, vol. i. p. 2.

[11] Ibid. Compot. Clerici libationis, vol. i. p. 445.

[12] Ibid. Compot. Clerici libationis, p. 445. In 1328, we find 1800 herring sold for twenty-eight shillings. Ibid. p. 28. In 1288, 100 eels brought three shillings, p. 69.

[13] Ibid. Rotuli Compot. Temp. Regis Alex. III. p. 14. To twenty-four cows, one hundred and eight shillings.

[14] Ibid. p. 15.

seven shillings, being no more than eighteenpence each; and, in 1288, twelve swine sold as low as a shilling a head.[1] In 1368, two oxen sold for thirteen shillings and fourpence, being six shillings and eightpence a head. In the concluding passage of the Chamberlains' Accounts, seven score hens are sold for eleven shillings and eightpence, exactly a penny each; and a tonegall of cheese, measuring six stones, sold for three shillings.[2]

The common fuel of those times, consisting of peats and wood, was to be had at a moderate rate. In 1288, two hundred and five horse-loads of firewood, for the royal palace at Stirling, cost only thirty-six shillings and sixpence. Eight waggon-loads of peats, including the carriage and some small expenses, cost thirteen pounds seventeen shillings and fivepence.[3] Although coals were undoubtedly worked in Scotland as early as 1291, perhaps even anterior to this, yet we find them rarely mentioned previous to the reign of David the Second. Under this monarch, eighty-four chalders of coal being purchased for the use of the queen's household, cost twenty-six pounds.[4] Salt appears to have been one of those necessaries of life which varied considerably in its price. In 1288, twelve chalders of salt were sold for six shillings the chalder; whilst, in 1360, ten chalders could not be purchased under thirteen pounds six shillings and eightpence.[5]

In comparing the wages of labour with the above prices of provisions, it is evident that, even in the most remote period which these researches have embraced, the lower orders must have lived comfortably. In the Chamberlains' Rolls of Alexander the Third, the keeper of the king's warren at Crail receives, for his meat and his wages during one year, sixteen shillings and eightpence; and as this was deemed too high, it is added that, for the coming year, he is to have his option to take either a mark, which was thirteen shillings and fourpence, or a chalder of oatmeal.[6] The gardener of the king at Forfar had, for his yearly wages, five marks; the gardener at Menmouth, only one mark;[7] and William, the king's cook and keeper of the royal larder, was paid, for his arrears of three years' wages, ten pounds.[8] The king's balistarius, or keeper of the cross-bows for the castle of Ayr, received yearly two marks and a half;[9] whilst the warder of the same castle, for his yearly wages and support, cost the exchequer eight shillings.[10]

When Alexander the Third was making preparations against the expected invasion of the King of Norway, in 1263, in order to secure the allegiance of the petty princes who held the Western Isles, he seized their children as hostages for their peaceable behaviour. These, of course, he had to support; and this explains an entry in the Chamberlains' Rolls, from which we may form some idea of the rate of living. For the expenses of the son of Angus, who was the son of Donald, with his nurse and a waiting woman, for twenty-six weeks, the king paid seventy-nine shillings and tenpence.[11] The expenses of another of these hostages, the son of Murchad, amounted to twenty-one shillings for twenty-four weeks; and we find that, in speaking of twenty-two hostages from Caithness and Skye, the first was allowed for his living a penny, and the second three-halfpence a day.[12]

At the time of this expected invasion, Alexander possessed no regular navy; but a few ships of war appear to have been stationed in the port at Ayr: such, however, was the unsettled state of the country, that these vessels had to be watched, probably only during the night; and we find an entry in the same accounts of sixteen shillings and

1 Chamberlains' Accounts, Temp. Custod. Regni, p. 56. Ibid. p. 77.
2 Ibid. pp. 77, 78. "Et sciendum est quod quilibet tonegall valet 6 petras."
3 Ibid. p. 61.
4 Chalmers' Caledonia, vol. i. p. 793. Chamberlains' Accounts, p. 495.
5 Ibid. pp. 69, 392.
6 Chamberlains' Accounts, Excerpta ex Rotulo Temp. Alex. III. p. 7.
7 Ibid. p. 13.
8 Ibid. p. 1.
9 Ibid. p. 9.
10 Ibid.
11 Excerpta ex Rotulo Temp. Alex. III. p. 9.
12 Ibid. pp. 14, 22.

ninepence, to four men who had been employed watching the king's ships for twenty-three weeks.[1] In 1326, the fortifications of the castle of Tarbet having become insecure in some places, Robert the mason was employed to repair and strengthen the walls. This he did by contract, and as the quantity of work which was executed does not appear, no exact inference can be drawn from the sum paid, which amounted to two hundred and eighty-two pounds fifteen shillings.[2] But in this work, two labourers were employed in carrying lime from Thorall to Tarbet, for twenty-nine weeks and three days, and received four shillings a week for their wages,[3] being sixpence and a fraction for each day. Days' wages, however, sometimes fell still lower; five barrowmen, or carriers, for three weeks' work, received each only three shillings and fourpence; and for apparently the same repairs of Tarbet castle, seven labourers or barrowmen were engaged for thirty-two weeks at the rate of fourteen-pence a week each.[4]

Higher craftsmen, of course, received higher wages. John the carpenter was engaged for thirty-two weeks at threepence a day, with his meat, which was each month a boll of oatmeal, and one *codra* of cheese, the boll being reckoned at two shillings, and the *codra* of cheese at sevenpence.[5] Nigel the smith had twelve pounds, and Nicolas the mason six pounds thirteen shillings and fourpence, for his yearly wages.[6] The cooks who exercised their mystery at the nuptial feast given on the marriage of David the Second at Berwick received, on that occasion, twenty-five pounds six shillings and eightpence.[7] To the minstrels who attended the ceremony, and we must remember that the rejoicings continued probably for many days, there was given sixty-six pounds fifteen shillings and fourpence.[8] John, the apothecary of King Robert Bruce, received for his salary eighteen pounds, and for his robe, a perquisite which we find given to many of the king's servants and officers, the sum of twenty-six shillings and eightpence.[9] It is somewhat singular that many years after this, in 1364, Thomas Hall, the physician of David the Second, received only ten marks for his salary.[10] In 1358, however, Hector, the doctor, received at once from the king a fee of five pounds six shillings and eightpence, so that it is difficult to ascertain exactly the rate of the fees or the salaries of these learned leeches. The druggist, indeed, appears to have been a favourite; for, in addition to his salary and his robe, we find him presented by the king in the course of the same year with a gift of fourteen pounds thirteen shillings and fourpence.

The prices of clothes, according to the coarseness or the costliness of the materials, varied exceedingly. A robe for the keeper of the gate of the king's chapel cost only twenty shillings; a robe for Patrick de Monte-alto, which was, in all probability, lined with rich furs, cost four pounds;[11] a robe for the clerk of the rolls, twenty-six shillings[12] on one occasion, and thirty shillings on another;[13] whilst John Bysit, a poor monk of Haddington, and one of King Robert's pensioners, was allowed, in 1329, twenty shillings annually for his clothing;[14] and later than this, in 1364, a poor scholar, who is denominated a relation of the king, received from David the Second four pounds annually, to provide himself in food and clothing.[15] In 1263, Alexander the Third granted fifty shillings to nine prebendaries to provide themselves with vestments.[16]

Wine appears to have been consumed in large quantities at the royal table. In 1263, under Alexander the Third, who is celebrated in a fragment

[1] Excerpta ex Rotulo Temp. Alex. III. p. 9.
[2] Compotum Constab. de Tarbat, vol. i. p. 3.
[3] Ibid. p. 3.
[4] Ibid. p. 4.
[5] Ibid. p. 5. In pp. 77, 78, we find a tonegall of cheese, which is there stated to be equal to six stones, sold for three shillings.
[6] Ibid. p. 5.
[7] Chamberlains' Accounts, p. 96.
[8] Chamberlains' Accounts, p. 96.
[9] Ibid. p. 99.
[10] Ibid. p. 539.
[11] Ibid. pp. 101, 400.
[12] Ibid. p. 478.
[13] Ibid. p. 526.
[14] Ibid. p. 101.
[15] Ibid. p. 413.
[16] Excerpta ex Rotul. Compot. Temp. Alex. III. p. 13.

of an old song for "wine and wax, gamyn and glee," a hundred and seventy-eight *dolii*, or hogsheads, of wine were bought for four hundred and thirty-nine pounds sixteen shillings and eightpence. In 1264, sixty-seven hogsheads and one pipe cost the royal exchequer three hundred and seventy-three pounds sixteen shillings and eightpence; whilst, in 1329, forty-two hogsheads, purchased from John de Hayel, a merchant at Sluys, in Flanders, cost a hundred and sixty-eight pounds.[1] A pipe of Rhenish wine, bought for David the Second at the time he held his court at Dundee, cost five pounds; but a pipe of the same wine, of finer flavour, which David had sent to the Countess of Strathern, cost seven pounds six shillings and eightpence, in 1361.[2] In 1364, the same lady received a hogshead of wine by the king's orders, for which the chamberlain paid six pounds thirteen shillings and fourpence.[3] These wines were, without doubt, the same as those imported into England from Spain, Gascony, and Rochelle, and of which we find the prices fixed by a statute of Richard the Second.[4] Other wines of inferior price were probably mixtures compounded in the country, and not of pure foreign growth. Thus, in 1263, we find the dolius, or hogshead, of red wine, *vinum rubrum*, sold for thirty-six shillings and eightpence, and at the same time the hogshead of white wine brought two pounds.[5] In other articles of luxury for the table, the great expense seems to have been in spices, confectionary, and sweetmeats, in which quantities of mace, cinnamon, flower of gilliflower, crocus, and ginger appear to have been used, upon the prices of which it would be tedious and useless to enlarge.

Some idea of the prices of gold and silver plate may be formed from an item in the Chamberlains' Accounts of the year 1364, in which it appears that Adam Torre, burgess of Edinburgh, furnished for the king's table thirteen silver dishes, and six silver saltcellars, for which he was paid seventeen pounds twelve shillings.[6]

With regard to the rent and the value of land at this period, the subject, to be investigated in a satisfactory manner, would lead us into far too wide a field; but any reader who is anxious to pursue so interesting an inquiry will find in the Cartularies of the different religious houses, and in the valuable information communicated by the books of the Chamberlains' Accounts, a mass of facts, from the comparison of which he might draw some authentic deductions. The great difficulty, however, in an investigation of this nature, would arise from the want of any work upon the exact proportion which the ancient divisions of land, known in the Cartularies by the epithets of carucatæ, bovatæ, perticatæ, rodæ, virgatæ, bear to the measures of land in the present day: a desideratum which must be felt by any one attempting such an inquiry in every step of his progress. For example, in an ancient roll containing the rents of the Monastery of Kelso preserved in the Cartulary of that religious house, and drawn up prior to 1320, we find that the monks of this opulent establishment possessed the grange, or farm, of Reveden in Roxburghshire, in which they themselves cultivated five carucates of land. The remainder of the property appears to have been divided into eight husbandlands, *terræ husbandorum*, for which each of these husbandmen paid an annual rent of eighteen shillings. Upon the same grange they had nineteen cottages, for eighteen of which they received an annual rent of twelve pennies, and six days' work at harvest and sheep-shearing. The ninth cottage rented at eighteenpence and nine days' harvest work. Upon the same property they had two breweries, yielding a rent of two marks, and one

1 Excerpta ex Rotul. Compot. Temp. Alex. III. p. 17. Chamberlains' Accounts, p. 97.
2 Ibid. p. 377.
3 Ibid. p. 412. See also p. 414.
4 M'Pherson's Annals of Commerce, vol. i. p. 592.
5 Excerpta ex Rotul. Compot. Temp. Alex. III. p. 44.
6 Chamberlains' Accounts, p. 411.

mill, which brought them nine marks yearly.[1] The difficulty here is to ascertain the size of these husbandlands, in which inquiry, at present, I know not of any certain guide. The bovate, or oxgang of land, according to Spelman and Ducange, contained eighteen acres; a carucate contained eight bovates; and eight carucates made up a knight's fee: but that the same measures obtained in Scotland cannot be confidently asserted. Indeed, we know that they varied even in England, and that a deed quoted in "Dugdale's Monasticon," makes the bovate contain only ten acres; whilst Skene, upon no certain authority, limits it to thirteen.

In the same monastic roll, we find that Hugo Cay had a small farm, which consisted of one bovate, for which he paid to the monks a rent of ten shillings; and for a cottage, with six acres attached to it, and a malt-house, the tenant gave six shillings a-year. At a remote period, under Alexander the Second, the monks of Melrose purchased from Richard Barnard a meadow at Farningdun, consisting of eight acres, for thirty-five marks. In 1281, we have already seen that the portion of Margaret, princess of Scotland, who was married to Eric, king of Norway, was fourteen thousand marks. At the same time it was stipulated that, for one-half of the portion, the King of Scotland might, at his option, assign to the King of Norway during the continuance of the marriage, rents of lands amounting to a tenth part of the money, or to seven hundred marks yearly; whilst it was settled that the princess was to have a jointure of one thousand four hundred marks; and in both the public instruments drawn up upon this occasion, an annuity upon the life of Margaret, then in her twenty-first year, was valued at ten years' purchase.[2] In 1350 a perpetual annuity of eight marks sterling, or five pounds six shillings and eightpence, secured on land, was bought for one hundred and twenty marks, being exactly fifteen years' purchase.[3] To any of my readers who may be solicitous to pursue these inquiries further; to investigate the comparative value of food and labour in the sister countries, and their relation to the prices in the present day, I would recommend the table of the prices of corn, and other necessary articles, subjoined to M'Pherson's Annals of Commerce, a work which is a storehouse of authentic and interesting information upon the early history, not only of European commerce, but of European manners.

[1] Cartulary of Kelso, MS. Rotulus Reddituum Monasterii de Kalchow.

[2] History, supra, p. 21.

[3] Hailes' Annals, vol. ii. p. 275. M'Pherson's Annals of Commerce, Appendix, vol. iv. No. III., Chronological Table of the Prices of Corn, and other necessary articles.

SECTION V.

STATE OF THE EARLY SCOTTISH CHURCH.

During the period embraced by the above observations, the Catholic Church, from the fear of encouraging heresy and error, interdicted the unrestricted study of the Scriptures to the laity. Her solemn services were performed in a language not understood by the community at large. The people were dependent not only for religious knowledge, but for the commonest elements of secular instruction, upon their parish priests; printing was unknown, manuscripts rare, and letters generally despised by the higher orders. Under such obstacles, we are not to be surprised that the common character of the age was that of great darkness and ignorance, and that our Scottish ecclesiastical annals (so far as I am able to judge) present us with few active efforts for their removal. But there is another side upon which the view which they offer is more pleasing: I mean, the civil influence which the Church exerted upon the character of the government and of the people. And here I cannot help observing that the history of her early relations with Rome is calculated to place our clergy in a favourable light as the friends of liberty. The obedience

which, in common with the other churches in Christendom, they paid to the great temporal head of the Catholic religion, was certainly far from being either servile or unlimited; and it is singular that the same fervid national spirit, the same genuine love of independence which marks the civil, distinguishes also the ecclesiastical annals of the country. The first struggles of our infant Church were called forth, not against any direct encroachments of the Papal power, but to repel the attacks of the metropolitan sees of York and Canterbury. It was, at an early period, the ambition of one or other of these potent spiritual principalities to subject the Scottish primate, the Bishop of St Andrews, to the dominion of the English Church, by insisting upon his receiving the right of consecration from the hands of one of the archbishops of England;[1] and nearly the whole reign of Alexander the First was spent in a determined resistance against such an encroachment, which concluded in the complete establishment of the independence of the Scottish Church.

To introduce civilisation and improvement amongst his subjects, and to soften the ferocity of manners and cruelty of disposition which characterised the different races over whom he ruled, was the great object of Alexander's successor, David the First; and he early found that the clergy, undoubtedly the most enlightened and learned class in the community, were his most useful instruments in the prosecution of this great design. Hence sprung those munificent endowments in favour of the Church, and that generous liberality to the ecclesiastical orders which has been too rashly condemned, and which was perhaps necessary, in another point of view, in providing something like a counterpoise to the extravagant power of the greater nobles. Under this monarch the individual freedom of the Scottish Church was rigidly maintained; while, at the same time, it declared itself a willing subject of the Papal throne, and received the legate of the supreme pontiff with much humility and veneration. Individual independence, however, was esteemed in no degree incompatible with an acknowledgment of subjection to the chair of St Peter. It is remarkable, too, that at this remote period there are traces of a freedom of discussion and a tincture of heretical opinions which, if we may believe an ancient historian, had for a long time infected the faith of the Scottish clergy.[2]

After a feeble and ineffectual attempt, under the reign of Malcolm the Fourth, to renew the attack upon the freedom of the Church, Henry the Second ungenerously availed himself of the captivity of William the Lion to extort an acknowledgment of spiritual, as well as feudal, subjection; but on this memorable occasion the dexterous diplomacy of the Scottish commissioners, the Bishops of St Andrews and Dunkeld, procured the insertion of a clause in the treaty which left the question of the independence of the national Church open and undecided;[3] and at a council, soon after held at Northampton, in the presence of the Papal legate, the Scottish bishops asserted their liberty, declaring that they never had yielded any subjection to the English Church; and opposing, with a zeal and boldness which, in this instance, proved successful, the unfounded pretensions of the rival sees of York and Canterbury.[4]

Hitherto engaged in repelling these inferior attacks, the Scottish clergy soon after found themselves involved, by the imperious character of the king, in a serious contention with the popedom itself. On the death of the Bishop of St Andrews, the chapter chose, for his successor, an English monk, in opposition to the wishes of the king, who intended the primacy for Hugh, his own chaplain. With the violence which marked his character, William immediately seized the

1 Eadmer, p. 99. Edition, folio, by Selden. Hailes, vol. i. pp. 54, 55.

2 R. Hagulstad. p. 325.

3 Fœdera, vol. i. p. 39.

4 Fordun a Goodal, vol. i. p. 474.

revenues of the see; procured Hugh to be consecrated; put him in possession; and when his rival, who had appealed in person to the Pope, returned with a decision in his favour, he was met by a sentence of banishment, which involved his whole family and connexions in his ruin.

On this information reaching Rome, legatine powers were conferred, by the incensed Pontiff, on the Archbishop of York and the Bishop of Durham, with a reserved authority to direct the thunder of excommunication against the king, in the event of his contumacy; and the clergy of the diocese of St Andrews were commanded, upon pain of suspension, to acknowledge the authority of the extruded primate. But nothing could shake the firmness of William. He replied to this new sentence of the Pope by banishing every person that dared to yield obedience to the Papal favourite; upon which the sentence of excommunication was pronounced by the legates, and the kingdom laid under an interdict. At this critical and terrible moment, when the monarch's determination to assert his own right of nomination had, in the sense of those times, plunged the land in spiritual darkness, the Pontiff, Alexander the Third, died, and the King of Scotland lost not a moment in sending his commissioners to Rome, who succeeded in procuring from Lucius, the new Pope, a recall of the sentence of excommunication and interdict, and an ultimate decision in favour of the king. The mode in which this was done was ingeniously calculated to gratify William, without detracting from the supreme authority of the Roman see. The two rival candidates, John and Hugh, came forward, and resigned into the hands of the Pope all right to the contested bishopric; upon which the Pope installed Hugh, the favourite of the king, in the throne of St Andrews, and placed John in the inferior see of Dunkeld: a remarkable triumph, if we consider that it was achieved at a time when the proudest monarchs in Europe were compelled to tremble before the terrors of the popedom.[1]

Not long after, Lucius, in his paternal anxiety to demonstrate his affection for his northern son, sent the golden rose to William, an honour rarely bestowed, and highly prized in that age; and this distinction only led to more important privileges, conferred by Clement the Third, the successor of Lucius, upon the Scottish Church.[2] It was declared that in consequence of William's devoted and zealous affection to the Chair of St Peter, (a singular compliment to a prince who had lately opposed it in so determined a manner,) the Scottish Church was adopted as the special and favourite daughter of the apostolic see, and declared to be subject to no other intermediate power whatever. To the Pope alone, or to his legate *a latere*, was permitted the power of publishing the sentence of interdict and excommunication against Scotland; upon no one, unless a native of Scotland, or at least a person specially deputed by the Holy Father for this purpose, was the office of legate to be conferred; and in the event of any controversies arising regarding benefices, it was enacted that no appeal should be competent to any foreign tribunal, except that of the Roman Church.[3]

These were high privileges: they at once put an end to the pretended superiority of the English Church, and conferred upon the Scottish prelates a vantage ground, from which they jealously defended, and eagerly watched the opportunity to extend and improve their rights. This is strikingly exemplified in the reign of the successor of William, Alexander the Second. The Scottish monarch had made war upon John, king of England at the time that he had placed himself and his realm under the peculiar protection of the Pope—a proceeding which drew down a sentence of excommunication and interdict

[1] R. Hov. Hist. p. 621.
[2] Chron. Melross, p. 92. Gulielm. Neubrig. p. 754.
[3] Chronicon, Joan. Brompton, p. 1196.

against Alexander and his subjects. The temper with which this was received seems to have convinced the Roman court that the terrors of his spiritual thunder were little felt in Scotland; and fearful, perhaps, of losing its influence altogether, it permitted the Scottish king, without performing the ignominious penance which generally preceded absolution, to be again welcomed into the bosom of the Church. At the same time, the sentence was removed from the whole body of his lay subjects; but the prelates and the rest of the clergy found that they could only be restored to the exercise of their spiritual functions upon the payment of large sums of money to the legate and his deputies.[1] Against this severity the king, jealous of the rights of his clergy, appealed to Rome, and obtained a judgment in his favour, which declared that the legate had exceeded his powers, and confirmed the privileges of the Scottish Church.[2]

After a short time, this led to a still more important concession. In a moment of carelessness or indulgence, Honorius listened to the artful representations of the Scottish clergy. They lamented that, from the want of a metropolitan, they could not hold a provincial council, and that, in consequence of this misfortune, many enormities had been committed, upon which he authorised them to dispense with this necessary solemnity, and to assemble a General Council of their own authority. This permission, there cannot be the least doubt, was meant to be temporary; but it was loosely expressed, and the Scottish clergy instantly perceived and availed themselves of its ambiguity. They affected to understand it as of perpetual authority, assembled under its sanction, drew up a distinct form of proceeding, by which the Scottish provincial councils should in future be held, instituted the office of Conservator Statutorum, and continued to assemble frequent provincial councils, without any further application for the consent of the holy see.[3]

This happened in 1225, and the importance of the right which had been gained was soon apparent. For a long period Scotland had impatiently submitted to the repeated visits of a Papal legate, who, under the pretext of watching over the interests and reforming the abuses of the Church, assembled councils and levied large sums of money in the country. On the meeting of the Scottish king and Henry the Third at York, Otho, a cardinal deacon, and at that time legate in England, took an opportunity to intimate his intention of visiting Scotland, in order to inquire into the ecclesiastical concerns of the kingdom. "I have never seen a legate in my dominions," replied Alexander, "and as long as I live I will not permit such an innovation. We require no such visitation now, nor have we ever required it in times past." To this firm refusal the king added a hint, that should Otho venture to disregard it and enter Scotland, he could not answer for his life, owing to the ferocious habits of his subjects; and the Italian prudently gave up all idea of the expedition.[4] But the zeal of the Papal emissary was checked, not extinguished; and after a few years Otho again attempted to make his way into Scotland. Alexander met him while he was yet in England, and a violent remonstrance took place, which ended in the legate being permitted to hold a council at Edinburgh, with a stipulation given under his seal that this permission to enter the kingdom should not be drawn into a precedent. The king, however, refused to countenance by his presence what he affirmed to be an unnecessary innovation, and retired into the interior of his kingdom; nor would he suffer the

[1] Fordun a Goodal, vol. ii. p. 40.
[2] Ibid. vol. ii. p. 42.

[3] Cart. of Moray, MS. Ad. Library, Edin. p. 11. The canons of the Church of Scotland were transcribed by Ruddiman from the Cartulary of Aberdeen, and communicated to Wilkins, who published them in the first volume of the Concilia Magnæ Britanniæ. They were afterwards printed by Lord Hailes, with notes.
[4] Math. Paris a Wats., p. 377.

legate to extend his pecuniary exactions beyond the Forth.[1]

In Alexander the Third, who equalled his predecessor in firmness, and surpassed him in sagacity, the Church found a resolute patron and defender. A summons, by a Papal legate, addressed to the clergy of Scotland, commanding them to attend his court at York, was pertinaciously resisted as being an infringement of their ancient privileges;[2] whilst an attempt to levy money upon the cathedrals and parish churches, and to enter the country, was opposed by the king; and in both instances the opposition was successful.[3] But this was not all. The Scottish clergy disclaimed obedience to the canons for the regulation of the ecclesiastical affairs of the country, which were enacted in a council held by the Papal legate in England; and aware of their own strength, assembled a provincial council at Perth, in which they promulgated canons of their own and asserted their independence. In this manner the opposition which the firmness of the second Alexander begun, the resolution of his successor completed; and before the conclusion of his reign the independent rights of the Scottish Church may be regarded as firmly established.

Whilst the Scottish monarchs and their clergy were thus amicably united in their resolutions to establish their independence, the internal relations which united the civil and ecclesiastical authorities, and the good understanding subsisting between the Crown and the Church, were little uninterrupted by those fierce contentions which disturbed the repose of many other European kingdoms; and the superior information and influence of the clergy were employed by our monarchs as a mean of improving the savage habits of their people, and a counterpoise to the exorbitant power of the great feudal nobles. It was amongst the clergy alone that at this early period we find anything like a progress in the arts and in literature, if indeed, the learning of our country during this age deserves so high a name. In their disquisitions in scholastic theology; in an acquaintance with the civil and canon law; in the studies of alchemy and judicial astrology; and, in some rare instances, in a knowledge of the Oriental languages and the mathematics, the clergy of Scotland were not far behind their brethren of Europe. There were a few individual instances in which the subtle, fervid, and indefatigable mind which, according to Galileo, marked the Scots at the era of the revival of letters, was to be seen amongst the Scottish scholars and philosophers of this remote age.[4] John Duns Scotus, a name which is now associated with feelings of unmerited ridicule, the founder of a school which extended its ramifications through every country in Europe, for the encouragement of which princes lavished their treasures, and the most noted universities were ready to devote their exclusive patronage, was undoubtedly a Scotsman, born in the Merse in the latter end of the reign of Alexander the Third. Unable to procure instruction in any of the higher branches of knowledge in his own country, he pursued his studies at Oxford; and from this university repaired to Paris, where he found an asylum at the time that the arms of Edward the First had gained a temporary triumph over the liberties of his native country. The labours of this indefatigable schoolman, shut up in twelve folios, once handled with reverential awe, enjoy undisturbed repose upon the shelves of many a conventual library; yet his genius undoubtedly impressed itself strongly and lastingly upon his age; and the same mind, if fallen on better days, might have achieved less perishable triumphs, and added to the stock of real knowledge.[5]

It has been already remarked that in those dark days in Scotland, as well as in every other country in Europe,

[1] Math. Paris, p. 422.
[2] Fordun a Goodal, vol. ii. p. 96.
[3] Ibid, vol, ii. p. 105.

[4] This curious fact will be found mentioned in Sir R. Sibbald, Historia Literaria Gentis Scotorum, p. 30. MS. in the Ad. Library at Edinburgh.
[5] Cave, Hist. Literaria, vol, ii. p. 3 of the Appendix.

the whole stock of learning and science was shut up in the Church; and as the great body of the Scottish clergy received their education in the universities of Oxford or Paris, for as yet no great seminaries of learning had arisen in their own country, we must look for the intellectual acquirements of this influential body in the nature of the studies which were then fashionable in the schools. That period of time which elapsed from the commencement of the thirteenth to the beginning of the fourteenth century has been distinguished in the history of human knowledge by the title of the scholastic age; and a very slight view must convince us how dark a picture it presents. It is marked by the rise of the second age of the scholastic theology, in which the Aristotelian logic and metaphysics were, for the first time, introduced into the demonstrations of divine truth, and employed as an aid in the explanation of the Holy Scriptures.

The compilation of voluminous and intricate systems of divinity which was introduced in the Greek Church, as early as the eighth century, by John of Damascus, and in the Latin by the unfortunate Abelard, seems to have suggested to Peter Lombard the idea of compiling what he termed his "Four Books of the Sentences," which he extracted from the writings of the fathers, and more especially of St Augustine.[1] This work acquired, in a short time, an extensive reputation; and its author, known by the name of the Master of the Sentences, became the founder of the scholastic theology. But this great system continued for a century comparatively pure and unsullied; nor was it till its second age that we meet with the perpetual reference to the dogmas of Aristotle, which, with equal absurdity and impiety, were quoted as giving authority to the word of God. In progress of time the error gained strength, and, poisoning the sources of truth and knowledge, transformed the pure doctrines of the Scriptures, as they are found in the Bible, into an unmeaning rhapsody of words. Under both these ages of the scholastic theology, Scotland produced scholars whose reputation stood high in the schools. Richard, a prior of St Victor at Paris, and Adam, a canon regular of the Order of Premonstratenses, illuminated the middle of the thirteenth century by voluminous expositions upon the Prophecies, the Apocalypse, and the Trinity; by treatises on the threefold nature of contemplation, and soliloquies on the composition and essence of the soul; while, during the second age of the scholastic theology, John Duns delivered lectures at Oxford to thirty thousand students.[2] In the exact sciences, John Holybush, better known by his scholastic appellation, Joannes de Sacrobosco, acquired, during the thirteenth century, a high reputation, from his famous treatise upon the Sphere, as well as by various other mathematical and philosophical lucubrations; and although claimed by three different countries, the arguments in favour of his being a Scotsman are not inferior to those asserted by England and Ireland. Like his other learned brethren, who found little encouragement for science in their own country, he resided in France; and even at so late and enlightened a period as the sixteenth century, and by no less a scholar than Melancthon, was Sacrobosco's work, the "Computus Ecclesiasticus," esteemed worthy of the editorial labours of this reformer.

Another extraordinary person, who figured in those remote times, and over whose life and labours superstition has thrown her romantic and gloomy light, was Michael Scott, the astrologer of the Emperor Frederic the Second, and the great assistant of that monarch in his plan for restoring the works of Aristotle to the learned world of Europe, through the medium of translations from the Arabic. Previous to his reception at the court of Frederic, Michael had studied at Oxford; and he afterwards visited France, Italy, and Spain, in the unwearied pursuit

[1] Cave, Hist. Literaria, vol. ii. p. 221. Spanheim, Epitome Isagogica ad Hist. Novi Test. p. 394.

[2] Cave, Hist. Liter. vol. ii. p. 228. Ibid. Appendix, p. 3.

of such knowledge as the great universities of those countries afforded to the students of the thirteenth century. Mathematics, astronomy, and the sister art of astrology, were his favourite pursuits; and in Spain, then partly in possession of the Arabians, and assuredly at this time the most enlightened portion of Europe, he acquired that acquaintance with the Arabic which, in the general ignorance of the Greek language, was the only source from whence a knowledge of the Aristotelian philosophy could be derived. In obedience to the injunctions of the emperor, Michael Scott commenced his labours; and from the manuscripts which he has left, and which have reached our times, it is probable that he did not conclude them until he had translated and commented on the greater part of the works of the Stagyrite.[1] From the plan of Frederic, however, or the versions of the Scottish philosopher, little real benefit could be derived to science, for the Arabians had themselves greatly corrupted Aristotle; and we need not wonder that translations from such sources, and made in utter ignorance of the language of the original, must have retarded rather than accelerated the progress of real knowledge. Accordingly, Roger Bacon, a man whose genius was far in advance of the age in which he lived, is not unsparing in his censure; and, in no very measured phrase, accuses the wizard of being at once a plagiarist and an impostor.[2] As a mathematician and astronomer he is entitled to less dubious praise; and his commentary on the "Sphere of Sacrobosco" was thought worthy of being presented to the learned world of Italy at so late a period as 1495.[3] It may be conjectured, therefore, that Michael owes much of his fame to his assumption of the character of a prophet and a magician; and that if the greatest of our Scottish minstrels had not embalmed him in his imperishable poem, and the high-wrought superstition of his country interwoven his dreaded predictions into the body of her romantic legends, his name might long ago have sunk into oblivion.[4] He was Baron of Balwearie in Fife, and must have been born previous to the year 1217.[5] The name of John Suisset, whose profound mathematical attainments are commemorated by Scaliger and Cardan, completes the brief catalogue of those philosophers and men of science whom Scotland, in that remote age, sent out to contest the palm of intellectual superiority with their brethren of Europe; and when we consider that everything which could afford an encouragement to letters or to science was then a desideratum in our country, it is honourable to find, by the acknowledgment of the scholars of Italy, "that the barbarians were considered not inferior in genius to themselves."[6]

In turning, however, from such rare examples of talent in the Church to the literary attainments of the nobility, or to the means of instruction possessed by the great body of the people, the prospect is little else than a universal blank. During the long period from the accession of Alexander the Third to the death of David the Second, it would be impossible, I believe, to produce a single instance of a Scottish baron who could sign his own name. The studies which formed the learning of the times were esteemed unworthy

[1] Jourdain, Recherches Critiques sur l'age des Traductions Latines d'Aristotle, pp. 132, 133.

[2] "Michael Scotus, ignarus quidem et verborum et rerum; fere omnia quæ sub nomine ejus prodierunt ab Andrea quodam Judæo mutuatus est."—Roger Bacon apud Jourdain, p. 141. This learned Oriental scholar conjectures that in the above passage, for Andrea, we should read Avendar Judæo.

[3] Panzeri, Annales Typogr. vol. i. p. 231.

[4] "Michael iste dictus est spiritu prophetico claruisse, edidit enim versus, quibus quarundam Italiæ urbium ruinam variosque predixit eventus."—Pipino apud Jourdain, p. 131. See also Benvenuto da Imola's Commentary on the Inferno, book xx. v. 115.

[5] This is evident from a Latin MS. at Paris, which bears to have been translated by Michael Scott at Toledo, anno Christi MCCXVII.

[6] In speaking of Suisset and John Duns, Cardan, in his Treatise de Subtilitate, p. 470, observes, "Ex quo haud dubium esse reor, quod etiam in libro de Animi Immortalitate scripsi, barbaros ingenio nobis haud esse inferiores, quandoquidem sub brumæ cœlo divisa toto orbe Britannia duos tam clari ingenii viros emiserit."—Irving's Lives of the Scottish Poets, vol. i. p. 31.

of the warlike and chivalrous spirit of the aristocracy, and universally abandoned to the Church. Yet there is ample evidence in the Cartularies that Scotland, although possessed of no college or university, had schools in the principal towns, which were under the superintendence of the clergy, and wherein the youthful candidates for ecclesiastical preferment were instructed in grammar and logic. We find, for example, in the Cartulary of Kelso that the schools in Roxburgh were under the care of the monks of Kelso during the reign of David the First; and that the rector of the schools of this ancient burgh was an established office in 1241.[1] Perth and Stirling had their schools in 1173, of which the monks of Dunfermline were the directors; and the same authentic records introduce us to similar seminaries in the towns of Ayr, South Berwick, and Aberdeen.[2]

It seems also probable that, within the rich monasteries and convents which at this period were thickly scattered over Scotland, there were generally to be found schools, taught by the monks, who were in the habit of receiving and educating the sons of the nobility.[3] It is certain that, attached to the cathedral church belonging to the Monastery of St Andrews, there stood a lyceum, where the youth were instructed in the Quodlibets of Scotus;[4] and that, so early as 1233, the schools of St Andrews were under the charge of a rector. A remarkable instance of this is to be found in the Cartulary of Kelso, where Matilda, the Lady of Moll, in the year 1260, grants a certain rent to be paid to the abbot and the monks of this religious house, under the condition that they should board and educate her son with the best boys who were intrusted to their care.[5]

In the Accounts of the Chamberlain of Scotland we find an entry of twenty shillings, given by Robert Bruce, in 1329, to the support of the schools at Montrose;[6] and the same record recounts a charitable donation of £13, 6s. 8d. presented by this monarch to Master Gilbert de Benachtyn, for his support in his studies.[7] Yet the instances of eminent Scottish scholars, which have been already noticed, prove convincingly that their own country could, at this period, afford them little else than the bare rudiments of education; and the consequent resort of students to France led to the foundation of the Scots College at Paris, in the year 1325, by David, bishop of Moray,—an eminent seminary, which was soon replenished with students from every province in Scotland.[8]

In addition to the Scholastic Theology, both the Civil and the Canon Laws were ardently cultivated during the thirteenth and fourteenth centuries, an eminence in these branches being considered the certain road to civil and ecclesiastical distinction. The titles of Doctor decretorum, Licentiatus in legibus, and Baccalaureus in decretis, are found, not unfrequently, subjoined to the names of our dignitaries in the Church; and the Records of the University of Paris afford evidence that, even at this early period, the Scottish students had not only distinguished themselves in the various branches of learning then cultivated, but had risen to some of the highest situations in this eminent seminary.[9] From these foreign universities they afterwards repaired to their own country, bringing with them the learning, the arts, and the improvements of the

1 Cartulary of Kelso, pp. 1, 258, 343.

2 Sir L. Stewart's Coll. Ad. Lib. No. 45. Cart. of Paisley, p. 284. Cart. of Aberdeen, pp. 74, 80, 81 Caledonia, vol. i. pp. 767, 768.

3 Ant. Augustini Epitome Juris Pontificii Veteris, vol. ii. p. 34.

4 Martine's Reliquiæ Divi Andreæ, p. 187.

5 Cart. of Kelso, p. 114.

6 Cart. of Dunferm. M'Farlane's Transcript, p. 579.

7 Compot. Camerarii Scotiæ, pp. 95, 96. See also p. 413 for this singular entry in the time of David the Second, anno 1364. "Et in victu et vestitu unius pauperis scolaris consanguinei domini nostri regis apud Edinburgh de mandato regis, 4 lbs."

8 Irving's Lives of the Scottish Poets, Prefatory Dissertation, p. 61. Nicholson's Scottish Historical Library, p. 77.

9 Bulæus, Hist. Univers. Parisiens, vol. iv. pp. 960, 968, 974, 989. Keith's Catalogue of Scottish Bishops, pp. 82, 83, 84. Mylne, Vitæ Episcoporum Dunkeldensium, p. 17. Editio Bannatyniana.

Continent. There is evidence, in the history of the various foundations of our religious houses by our early monarchs, that the clergy who were educated abroad were especially favoured at home; and after their settlement in the Church, a constant intercourse with their continental brethren enabled them to keep pace, in intellect and knowledge, with the great family of the Churchmen of Europe. For such learning as then existed in the world the monasteries afforded, in Scotland as in other countries, a sacred receptacle; and although the character of the theology there taught was not of a high order, and the state of other branches of human learning deformed by error, yet, without the feeble spark preserved in the religious houses, and the arts of life which were there cultivated and improved by the clergy, the state of the country, during the period of which we are now writing, would have been deplorable indeed. Much that we know of the authentic circumstances of the times we owe to the monastic annalists, who employed their leisure in the composition of those rude chronicles which, distant as they are from the model of a grave or enlightened history, often convey to us very striking pictures.

In every monastery in Scotland it appears to have been the custom to compile three sorts of register-books; specimens of which having been saved from the wreck of time, enable us to form a pretty correct idea of their nature and contents. The first was a general register, compiled in the shape of a chronicle, or book of annals, containing the events arranged under the years in which they happened. Such are the fragments entitled, "Chronica de Origine Antiquorum Pictorum;" the "Chronicon Sanctæ Crucis;" the "Chronicle of Melross;" the short fragment of the "Chronicle of Holyrood;" the "Liber Pasletensis;" and various other ancient "chronica," which were written anterior to the fatal year 1291, when Edward collected and carried away the historical records of the country.

The second species of monastic register was a bare obituary, in which we find recorded the decease and the interment of the various abbots, priors, and benefactors of the monastery: and the third was the Cartulary, in which the charters of the kings or other great men who favoured the religious house; the bulls of the popes; the revenues of their lands; the leases granted to their vassals or dependants; the history and the proceedings of the various lawsuits in which they were engaged; the taxes which they paid to the crown; and many other minute and interesting particulars are recorded.[1] The collection of these last is fortunately much more complete than we should have anticipated, from the lamentable havoc and destruction which occurred at the period of the Reformation. Many of the original Cartularies are preserved in that noble repository of manuscripts which is the property of the Faculty of Advocates; others have been discovered in the libraries of ancient families or of private collectors; and it is in this great storehouse of authentic records that there is to be found, although in a shape somewhat repulsive to the general reader, the most fresh and living pictures of the manners of the times.

This period, however, besides these monkish annalists, produced one writer of original genius: I mean Barbour, the metrical historian of Bruce, of whose work it is difficult to say whether it ranks highest as a faithful history of this great monarch, and of the manners of his age, or a graphic and spirited poem, full of noble sentiment, and occasionally varied with beautiful descriptions of natural scenery. It is in every respect a remarkable production for so early an age as the middle of the fourteenth century; and contains many passages, which, in the strength and purity of the language, in the measured fulness of the rhythm, and the richness of the imagery, are not inferior to Chaucer.[2] Its author was born about the year 1316; and,

[1] Nicholson's Scottish Historical Library, p. 77.

[2] Warton's History of English Poetry, p. 318.

after having received the rudiments of his education in his own country, pursued his higher studies at Oxford, and afterwards in France.[1] On his return to his native country, he rose to considerable preferment in the Church, and devoted the leisure which he spared from the duties of his archdeanery to the composition of his great national poem, for which he was rewarded by a pension from Robert the Second.[2] Another work of this writer was a history or genealogy of the Kings of Scotland, compiled, in all probability, from Wace, or Geoffrey of Monmouth, and entitled "The Brute." It is mentioned in "Winton's Chronicle,"[3] but has not reached our times. Winton himself, and his brother historian, Fordun, both writers of great value, do not properly belong to this period.

Considerably prior, in point of time, to Barbour was the celebrated Thomas the Rhymer, or Thomas of Ercildoune, the author of the romance of Sir Tristrem, a poem which enjoyed the highest celebrity, not only in his own country and in England, but throughout Europe. It has been observed as a remarkable circumstance that while, prior to the period of Chaucer, there is to be found no English romance which is not a translation from some earlier French original; and at the time when the progress of the English language, in the country which has given it its name, was retarded by many powerful obstacles, the poets of the south of Scotland appear to have derived their romantic fictions from more original sources, and to have embodied them in a dialect of purer English, than the bards of the sister kingdom. In the romance of Sir Tristrem, written about the middle of the thirteenth century,[4] and in two other more ancient Scottish romances, Gawan and Gologras, and Goloran of Galloway, so very scanty are the traces of anything like a French original, that, according to the conjecture of the great writer to whom we owe the publication of the first and most interesting of these early relics, it is probable they have been originally extracted from that British mine of romantic fiction from which have proceeded those immortal legends of Arthur and his knights, which took such a hold on the youthful imagination of Milton. The names of all the important personages in the story are of British origin; and it is conjectured, upon data which it would be difficult to controvert, that in Tristrem himself, however transformed by the poetic colouring of Thomas of Ercildoune, we are to recognise an actual British warrior, who, in the last struggles of the little kingdom of Cornwall against its Saxon invaders, signalised himself by those exploits which have given the groundwork to this poetic romance.[5] In England, the Norman conquest, and the consequent prevalency of the Norman-French, which became the language of the court, and the medium in which all legal proceedings were carried on, necessarily corrupted the purity of the Saxon language. "In England," to use the words of Sir Walter Scott, in his introduction to Sir Tristrem, "it is now generally admitted that after the Norman conquest, while the Saxon language was abandoned to the lowest of the people, and while their conquerors only deigned to employ their native French, the mixed language, now called English, existed only as a kind of lingua Franca, to conduct the necessary intercourse between the victors and the vanquished. It was not till the reign of Henry the Third that this dialect had assumed a shape fit for the purposes of the poet; and even then it is most probable that English poetry, if any such existed, was abandoned to the peasants and menials; while all who aspired above the vulgar listened to

[1] Jamieson's Memoirs of the Life of Barbour, p. 6.

[2] Ibid. p. 8.

[3] Winton's Chronicle, book iii. chap. iii. v. 139, vol. i. p. 54. Ellis's Specimens of the Early English Poets, vol. i. p. 228.

[4] Introduction to the Romance of Sir Tristrem, by Sir Walter Scott, p. 12. Ibid. p. 57.

[5] Introduction to the Romance of Sir Tristrem, by Sir Walter Scott, pp. 52, 53.

the lais of Marie, the romances of Chrestien de Troyes, or the interesting fabliaux of the Anglo-Norman trouveurs. The only persons who ventured to use the native language of the country in literary compositions were certain monkish annalists, who usually think it necessary to inform us that they descended to so degrading a task out of pure charity, lowliness of spirit, and love to the 'lewed men,' meaning the lower classes, who could not understand the Latin of the cloister, or the Anglo-Norman of the court."

Whilst such was the case in England, the formation of the language spoken in the sister country took place under different circumstances; so that, instead of considering the language in which Thomas of Ercildoune and his successors have written as a daughter of the Anglo-Saxon, it would be more correct to regard it as an independent stream, derived from the great fountain of the ancient Gothic, but coming to us, in Scotland, through purer channels than those wherein it flowed into England. Into the great controversy regarding the origin of the Pictish people it would be entirely out of place to enter at present; although any examination hitherto made of the original authorities, upon both sides of a question which has been agitated with an asperity peculiarly inimical to the discovery of the truth, rather inclines me to consider them as a race of Gothic origin,—an opinion supported by the united testimony of Bede, Nennius, Gildas, and the Saxon Chronicle.[1] Every hypothesis which has been adopted to account for the introduction of the Saxon language into Scotland from England, by the gradual influx of Saxon and Norman nobles, by the multitude of English captives taken in war, or by the marriage of Malcolm Canmore with a Saxon princess, seems extremely unsatisfactory; and it appears a more tenable theory to suppose that in the great kingdom of Strathclyde,—which came at last to be wrested from the original British tribes by the Saxons, in the large district of the Lothians and of Berwickshire, which was entirely peopled by Saxons, and in the extensive dominions of the Picts, a race of people descended from the same Gothic stem,—there was formed, in the progress of centuries, a Gothic dialect, which we may call the Scoto-Saxon; similar to the Anglo-Saxon in its essential character, but from the circumstances under which its formation took place, more unmixed with any foreign words or idioms. It was this Scoto-Saxon language, called by Robert de Brunne "strange Inglis," or "quaint Inglis,"[2] which appears to have been spoken by the Scots from the beginning of the twelfth century, and continued the language of the court and of the people down to the time of Barbour and Winton. It was in this language that the wandering minstrels of those days composed their romantic legends of love or war; and that the higher bards, who, to use the words of the ancient chronicler above quoted, wrote for "pride and noblye," and to satisfy their thirst for fame, composed the romances which were then popular in Scotland, and came, through the medium of translations, into Latin and Norman-French, to be famous throughout Europe.[3] That the Gaelic was the language of the great body of the Celtic people, who at a remote period overspread the greatest part of Scotland, and that it was understood and spoken by Malcolm Canmore himself, is a fact resting on the most undoubted evidence; but it is equally certain that such is the radical difference in the character and construction of these two tongues, that they have continued, from the earliest period to the present day, totally distinct, refusing to blend or amalgamate with each other. In like manner, the Norman-French, although understood by the Scottish monarchs and their nobility, and frequently employed in their diplomatic correspondence, seems never, as in England, to

[1] Jamieson's Dissertation on the Origin of the Scottish Language, pp. 2, 4, 26, prefixed to his Dictionary.

[2] Introduction to Sir Tristrem, pp. 65, 66.

[3] Sir Walter Scott's Introduction to the Romance of Sir Tristrem, pp. 74, 75, 76.

have usurped the place of the ancient national dialect of the Scoto-Saxon; whilst the Latin, the language of science, of theology, of all civil and ecclesiastical contracts and legal proceedings, was principally understood by the monks and the clergy. It may be conjectured, therefore, on pretty strong grounds, that the mass of the people to the south of the Firth of Tay spoke the Scoto-Saxon, and that this "quaint Inglis," as it is called by Robert de Brunne, was a purer stream from the Gothic fountain than the English spoken or written at the same period in the sister country. Of this language very few specimens have reached our times in a genuine and uncorrupted state. The constant alterations which took place in early orthography, and in the gradual introduction of new idioms, render it impossible to quote any fragment as a correct specimen of the language of the period, if this relic is only preserved in a writer of a later age, and is not itself written at, or at least within, a very short time of its real date. Thus, we cannot say for certain that the little song or monody, which has already been quoted, composed on the death of Alexander the Third, as preserved by Winton, is exactly in its genuine state, as the earliest manuscript of Winton, now extant, could not have been written prior to 1420 or 1421;[1] and in the long period of nearly a century and a half a great change must have taken place in the language. The manuscript of Thomas of Ercildoune's poem is, on the contrary, of great antiquity, and has been pronounced by able antiquaries to belong to the middle of the fourteenth century;[2] but it appears to have been transcribed in England, and must, consequently, have undergone many changes from its original purity. It still, however, contains many idioms which are at this day used in Scotland, although they have long ceased to be English; and its language exhibits, perhaps, the nearest approach to the genuine Scoto-Saxon which is to be found prior to the time of Barbour and Winton. The description of Roland Ris, the father of the good Sir Tristrem, is as follows:—

"He was gode and hende,
Stalworth, wise, and wight;
Into this londes ende
Y wot non better knight;
Trewer non to frende,
And Rouland Ris he hight;
To batayl gan he wende;
Was wounded in that fight,
Full felle:
Blaunche Flower the bright
The tale them herd she telle."[3]

The style of the poem is throughout exceedingly abrupt and elliptical; and there is a concentration in the narrative which, by crowding events into small room, produces an obscurity which renders it difficult to follow the story: but there are some fine touches of nature; and it is valuable for its pictures of ancient manners.

There is every reason to believe that many other romances, written in the ancient Scottish, or Scoto-Saxon, were composed at this period; and that their authors were in high estimation, encouraged by kingly patronage, and welcomed in the halls and castles of the feudal nobility. It unfortunately happened that the art of printing was not yet discovered; so that the few written copies of such "gests and romances," which must have thrown such striking lights upon the genius and manners of our ancestors, have long ago perished. The simple names of the authors, or "*makars*," with a brief and unsatisfying notice of the subjects of their composition, are all that remain. Amongst these shadows we find a venerable poet commemorated by Winton, in his Chronicle, under the name of "Hucheon of the Awle Ryall," or "Hugh of the Royal Court," whose great work was entitled the "Gest of Arthure." He appears, however, to have been a voluminous writer for those early days; as, in addition to "Arthure," he composed the "Geste of the Brute," the "Aventures of Sir

[1] M'Pherson's Preface to Winton's Chronicle, p. 31.

[2] Dr Irving's MS. History of Scottish Poetry, p. 27. See postea, p. 296.

[3] Sir Tristrem, p. 15.

Gawyn," and the "Pystyl of Swete Susan."[1] Of these works, the last, a short poem, founded on the story of "Susannah and the Elders," has reached our times. It is composed in a complicated alliterative stanza, in the use of which the bards of the "north countrée" are reputed to have been especially skilful; but it undoubtedly contains no passages which, in any degree, support the high character given of its author by Winton. "It becomes all men," says this historian, "to love Hucheon; who was cunning in literature, curious in his style, eloquent and subtle; and who clothed his composition in appropriate metre, so as always to raise delyte and pleasure."[2] If any reader, with the help of a glossary, will consent to labour through the "Pystyl of Swete Susan," he will probably be disposed to come to the conclusion, either that it is not the identical composition of the bard of the "Awle Ryall," or that his merits have been infinitely overrated by the partiality of Winton. His great historical romance, however, or "Gest Historical," was, we may presume, a superior composition. In it he treated of subjects which were dear to the feelings and imaginations of our ancestors: of the doughty deeds of Arthur; of his worship and prowess; his conquests and royal estate; his round table and twelve peers; and it was, probably, in listening to these tales of love and war that the ladies and knights of Winton's days experienced that "plesans and delyte" which we in vain look for in the only composition of his which has reached our days. It has been asserted by Chalmers that in Hucheon of the "Awle Ryall" we are to recognise Sir Hugh de Eglinton, whose death is lamented by Dunbar, in his pathetic "Lament" for the death of the Scottish poets who had preceded him; but the grounds on which the opinion is founded appear slight and unconvincing.[3]

[1] Winton's Chronicle, vol. i. p. 121.

[2] Ibid. p. 122.

[3] "I think there cannot be any doubt whether Sir Hugh de Eglynton were not Hucheon of the 'Awle Ryale.'" Letter of Mr Chalmers to Mr David Laing, and quoted in his Introduction to the Pystyl of Swete Susan. It has been acutely observed by Dr Irving, in the third chapter of a History of Scottish Poetry, not yet published, but which it is to be hoped he will not long withhold from the world, "that when the author of Gawan and Gologras introduces the name of Hugh, he does not exhibit it in the form of Hucheon, but that both he and Winton exhibit it in the form of Hew." I have great pleasure in acknowledging the polite and liberal feeling with which Dr Irving communicated to me the three first chapters of his manuscript, and the assistance I have derived, upon this and many other occasions, from his learning and research.

Besides these higher poets of established excellence and fixed habitation, there can be no doubt that Scotland, from an early period, produced multitudes of errant minstrels, who combined the characters of the bard and the musician; and wandering with their harp from castle to castle, sang to the assembled lords and dames those romantic ballads of love and war which formed the popular poetry of the day. It was impossible, indeed, that it should be otherwise. The Gothic tribes which at a very early period possessed themselves of the Lowlands; the Saxons and Northumbrians, who dwelt on the Border; the Scandinavians or Norwegians, who for several centuries maintained possession of the islands, and of Ross and Caithness; and the Normans, whose original love for romantic fiction was cherished by their residence in France, were all passionately addicted to poetry. They possessed a wild imagination, and a dark and gloomy mythology; they peopled the caves, the woods, the rivers, and the mountains with spirits, elves, giants, and dragons; and are we to wonder that the Scots, a nation in whose veins the blood of all those ancient races is mingled, should, at a remote period, have evinced an enthusiastic admiration for song and poetry; that the harper was to be found amongst the officers who composed the personal state of the sovereign; and that the country maintained a privileged race of wandering minstrels, who eagerly seized on the prevailing superstitions and romantic legends, and wove them, in rude but sometimes expressive versification, into their stories

and ballads; who were welcome guests at the gate of every feudal castle, and beloved by the great body of the people? We learn from a curious passage in Giraldus Cambrensis, which has been quoted by Sir Walter Scott, in his Introduction to Sir Tristrem, that the country situated beyond the Humber and the limits of York, in remote times undoubtedly a part of the kingdom of Scotland, acquired much fame for a peculiar mode of singing in parts, which Giraldus describes with great minuteness, and in terms of admiration. This ancient style appears to have been nothing more than a skilful combination of two voices, a bass and a treble, "una inferius submurmurante, altera vero superne demulcente pariter et delectante."[1]

In the reign of David the First, at the battle of the Standard, which was fought in 1138, minstrels, posture makers, and female dancers, accompanied the army;[2] and there can be little doubt that in Scotland, as in France and England, the profession of a minstrel combined the arts of music and recitation, with a proficiency in the lower accomplishments of dancing and tumbling.[3] In Giraldus Cambrensis there is a remarkable testimony to the excellency of the Scottish music, during the reign of Henry the Second, who was contemporary with William the Lion. "In Ireland," says he, "they use for their delight only two musical instruments, the harp and the tabor. In Scotland we find three—the harp, the tabor, and the bagpipe,[4] (choro.) In Wales they have also three—the harp, the pipe, and the horn. The Irish employ strings made of brass wire instead of the gut of animals. It is the opinion of many at this day that Scotland has not only equalled her mistress, Ireland, in musical skill, but has far excelled her, so that good judges are accustomed to consider that country as the fountain-head of the art."

It seems to have been a custom in Scotland, as old, at least, as Alexander the Third, that when the sovereign made his progress through the country, minstrels and singers received him on his entrance into the towns, and accompanied him when he took his departure; and we find Edward the First, in his triumphal journey through the land in 1296, paying certain sums of money as a remuneration for the same melodious reception. Whether Bruce was himself a proficient in music, the favourite accomplishment of many a knight in those days, is not known; but he undoubtedly kept his minstrels: and we have already seen that, upon the marriage of David his son to the Princess Joanna of England, there is an entry in the accounts of the Great Chamberlain which shews that the royal nuptials were cheered by Scottish and English minstrelsy;[5] and that the minstrels of the King of England, having accompanied their youthful mistress into her new dominions as far as Dunbar, were there dismissed, with a largesse of four pounds from the king. At the coronation of David the Second, the minstrels again make their appearance; and, from the higher sums which are then given, it may be conjectured that a more numerous band had attended upon this joyous occasion than at the nuptials at Berwick. They are presented with twenty pounds by the king, and receive ten from his consort.[6] There can be no doubt that, in many instances, these minstrels, besides being harpers or musicians, who sang and recited the popular poetry of the country, were themselves poets, who composed extemporaneous effusions; or, in more frequent instances, altered some well-

[1] Sir Tristrem, Introduction, p. 70.

[2] Ethelredus de Bello Standardi, Twysden, vol. i. p. 342.

[3] Bishop Percy's Essay on the Ancient Minstrels, p. 25, and Notes, p. 62, note F.

[4] Camdeni Anglica. Hiber. Normann. p. 739. In the first edition of this history I introduced cornu for choro in this sentence; but my friend Mr Dauney, in his learned and excellent dissertation, prefixed to his "Ancient Scottish Melodies," has completely proved that the word is choro, and means the bagpipe. Dissertation, pp. 122, 123.

[5] Chamberlains' Accounts, Compotus Camerarii Scotiæ, p. 96.

[6] Ibid. p. 228.

known ditty of love or war to suit the taste, and, by a skilful change of name, to flatter the family pride of the feudal baron in whose hall they experienced a welcome. It is difficult, unless we admit the existence of some such system of poetic economy, to account for the perpetual recurrence of the same individual stanzas, or at least of the same expressions, in many of our oldest ballads, and the reappearance of the same tale, with only a slight change of incident, and alteration in the names of the actors. We know, from authentic evidence, that there were *gests* and historic ballads written upon the story of Wallace; and that, upon the occurrence of any great national event, or victory, the genius of the country broke into songs, which the Scottish maidens used to sing. A single stanza of a Scottish ballad, composed after the defeat of the English at Bannockburn, has been preserved in the St Alban's Chronicle. "For he," says the monkish author, speaking of Edward the Second, "was dyscomfited at Banocksborne; therefore the maydens made a song thereof in that countrée, of Kynge Edward, and in this manere they songe:—

"Maydens of Englonde, sore may ye morne,
For ye have lost your lemmans at Banocksborne,
With hevelogh;
What wenyth the kinge of Englonde
To have got Scotland,
With rombelogh."[1]

In Bower's additions to the Scotichronicon, written about 1441, he mentions, with a contempt which is ill concealed, that the vulgar crowd, in his own day, were much delighted with tragedies, comedies, ballads, and romances, founded on the story of Robin Hood and Little John, which the bards and minstrels used to sing, in preference to all others of the same kind of compositions.[2] These popular songs and ballads, of which we can merely trace the existence, were, in all probability, written by the minstrels and harpers, who not only crowded the castles of the great, but roamed over the country, and were welcome guests at every cottage door. Nor is it difficult to ascertain the cause why nearly every trace and relic of these ancient ballads has now perished. The clergy of those remote days were the only men who committed anything to writing; and it is certain that the clergy were the bitter enemies of the minstrels, whom they considered as satirical rivals and intruders, who carried off from the Church the money which might have been devoted to more pious and worthy uses. They talk of them as profligate, low-bred buffoons, who blow up their cheeks, and contort their persons, and play on horns, harps, trumpets, pipes, and Moorish flutes, for the pleasure of their lords, and who moreover flatter them by songs, and tales, and adulatory ballads, for which their masters are not ashamed to repay these ministers of the prince of darkness with large sums of gold and silver, and with rich embroidered robes.[3]

From this natural antipathy of the clergy to the singers and minstrels, it has unfortunately happened that many a monkish Latin rhyme, composed in the miserable taste of the age, has been preserved with affectionate care; whilst the historic tales and ballads of this early period of our history have been consigned to what was then deemed a just and merited oblivion. And yet a single ballad on the death of Wallace, or the glory of Bruce, preserved as it then fell from the lips of a Scottish minstrel or a Scottish maiden, were now worth half the proud volumes of those pedantic schoolmen.

It is extremely difficult to collect any authentic information upon the musical instruments, or the character

[1] St Alban's Chronicle, part vii. sig. r. 11, quoted in Dr Jamieson's Notes on Bruce, p. 457. Winton's Chronicle, vol. ii. p. 102, speaking of Wallace:—

"Of his gud dedis, and manhad
Great gestis I hard say ar made;
Bot sa mony I trow noucht
As he in til his dayis wroucht."

[2] Forduni Scotichro. a Goodal, vol. ii. p. 104.

[3] The proofs of this will be found in Ducange, voce Ministrelli. Rigordus, de rebus Gestis Philippi Agusti, ann. 1185. St August. tract. 100 in Joann. chap. vi. Compotus Hospitii Ducis Normanniæ, ann. 1348.

of the music, of this remote period.[1] The only specimens of the musical instruments of the age are to be found upon the rich stone carvings which ornament the pillars of the Gothic churches, and the tracery of the borders, windows, and gateways. Amongst these we meet with the figures of musicians, some of them so entire as to give us a pretty correct idea of the shape at least of the instrument they hold in their hands. The flute with six holes; the bagpipe with a single *drone;* the viol with four strings, and the sounding holes above the bridge; and the lute, or at least an instrument approaching it in its shape, with six strings, are all discernible in the carvings of Melrose Abbey, and some of them appear in the beautiful specimen of the florid Gothic to be seen in Roslin Chapel.[2] What was the particular style and character of the music performed by these instruments, or of the songs which they accompanied, it is now impossible to determine; and although the opinion of Ritson, that none of our present Scottish melodies can be traced upon anything like authentic evidence further back than the Restoration, appears somewhat too sweeping and positive, it is nevertheless true that, in the total want of authentic documents, it would be idle to hazard a conjecture upon the airs or melodies of Scotland at the remote period of which we now write. The church music, however, was in a different situation; and owing to the constant intercourse of the great body of our clergy with the continent, the same style of sacred music which had been introduced into the religious service of Italy, France, and England must have been imported into our own country. If we may believe Dempster, a writer of somewhat apocryphal authority, Simon Taylor, a Scottish Dominican friar, as early as the year 1230, became the great reformer of the church music of Scotland; and, by his inimitable compositions, brought this noble art to vie with the music of Rome itself.

In 1250, when the body of St Margaret was removed with much ecclesiastic pomp from the outer church, where she was originally interred, to the choir beside the high altar, the procession of priests and abbots, who carried the precious load upon their shoulders, moved along to the sounds of the organ, and the melodious songs of the choir singing in parts.[3] It has been asserted, indeed, by my late venerable grandfather, in his Dissertation on Scottish Music, that we owe the first introduction of organs and of a choral service into the cathedrals and abbeys of Scotland to James the First; but this can only be understood as applicable to the improved organs of the days of James the Fourth,[4] as we see there is certain evidence of the instrument, in its first rude state, existing in Scotland at a much earlier period. It would have been singular, indeed, if the same invention, which is found in England as early as the reign of Edgar, and in Ireland during the ninth century, should not have made its way into Scotland till the reign of James the First.[5] Accordingly, in Fordun's account of the nuptials of Alexander the Third, there is a minute description of a masque, which proves that in those days the Scottish musical instruments were not only of various sorts, but that some of those instruments were similar to the *organs* used in the performance of the tragedies or mysteries which were then frequently enacted by the clergy for the amusement and edification of the people.[6]

[1] Since the publication of the first edition of this work, Mr Dauney's Introductory Dissertation to his "Ancient Scottish Melodies" has communicated a body of interesting and authentic information upon these subjects.

[2] Statistical Account, vol. ix. p. 90. "On the south-east of this church are a great many musicians, admirably cut, with much pleasantness and gaiety in their countenances, accompanied with their various instruments."—Dalzel's Desultory Reflections on the State of Ancient Scotland, p. 56.

[3] Fordun a Goodal, vol. ii. p. 83.

[4] Dissertation on Scottish Music, by William Tytler, Esq. of Woodhouselee. Antiquarian Transactions, vol. i. p. 482. "Organa *qualia nunc sunt*," is Boece's expression.

[5] M'Pherson's Annals of Commerce, vol. i. p. 252.

[6] Fordun a Goodal, vol. ii. p. 128.

The wise partiality of our early kings to the manners and customs of England; the enthusiasm which David the First evinced for the erection of churches and monasteries; and the introduction of all the magnificence and solemnity of the Catholic worship amongst his rude and barbarous subjects,—entitles us to conjecture, on strong grounds of probability, that the church music of Scotland, during the reign of this monarch, would be a pretty close imitation of that which was then to be found in the sister country. Ethelred, an author of high authority, and a friend and contemporary of David the First, gives us the following minute and curious account of the church music in his own days:—"Since all types and figures are now ceased, why so many organs and cymbals in our churches? Why, I say, that terrible blowing of the bellows, which rather imitates the frightsomeness of thunder than the sweet harmony of the voice? For what end is this contraction and dilatation of the voice? One restrains his breath, another breaks his breath, and a third unaccountably dilates his voice; and sometimes, I am ashamed to say, they fall a-quavering like the neighing of horses. Next they lay down their manly vigour, and with their voices endeavour to imitate the softness of women. Then by an artificial circumvolution, they have a variety of outrunnings. Sometimes you shall see them with open mouths and their breath restrained, as if they were expiring and not singing, and by a ridiculous interruption of their breath they appear as if they were altogether silent. At other times they look like persons in the agonies of death; then, with a variety of gestures, they personate comedians; their lips are contracted, their eyes roll, their shoulders are shaken upwards and downwards, their fingers move and dance to every note. And this ridiculous behaviour is called religion; and when these things are most frequently done, then God is said to be most honourably worshipped."[1] From this state of complicated perfection to which the religious music of England had arrived at so early a period, we may be permitted to attribute a considerable knowledge, if not an equal excellence, in the same science to our own country; for we know that the Scottish clergy, in the cultivation of the arts which added solemnity and magnificence to their system of religious worship, were, in few respects, behind their brethren of the South; yet this is conjectural, and not founded upon accurate historic proof.

The churchmen of those remote times did not only monopolise all the learning which then existed, they were the great masters in the necessary and ornamental arts; not only the historians and the poets, but the painters, the sculptors, the mechanics, and even the jewellers, goldsmiths, and lapidaries of the times. From their proficiency in mathematical and mechanical philosophy, they were in an especial manner the architects of the age; and the royal and baronial castles, with the cathedrals, monasteries, and conventual houses throughout Scotland, were principally the work of ecclesiastics.

Into the numerous and elegant arts then practised by the clergy it is impossible to enter; but no apology will be required for submitting a few remarks upon the last-mentioned subject, the domestic and the religious architecture of the times, as the question, In what sort of houses or fortalices were our ancestors accustomed to live? is not one of the least interesting which presents itself in an inquiry into the ancient condition of the country.

At a remote era the fortifications in the Lowland counties of Scotland, inhabited by tribes of Gothic origin, were, in all probability, the same as the castles called Anglo-Saxon in England. Their construction partook of the rude simplicity of the times in which they were built. They consisted of an inner keep or castle, surrounded by a strong wall, beyond

[1] Ælred, Speculum Caritatis, book ii. chap. xx. Duaci, 1631, 4to, quoted in Pinkerton's Introductory Essay to the Maitland Poems, vol. i. p. 67.

which was a ditch or deep fosse, sometimes twenty or thirty yards in breadth; and beyond this again was raised an outer *vallum* or rampart, of no great height, and apparently composed alone of earth.[1] They were generally placed on the brow of a steep hill, on a neck of land running into a river, or some such situation of natural strength; and as the art of war and the attack of fortified places had made then but little progress, the security they conferred was equal to the exigencies of the times.

In the earliest age of Saxon architecture, or at times when a temporary fortification was speedily required, it was common to build the walls round the castles of strong wooden beams. We learn, for instance, from the Scala Chronicle, that "Ida caused the castle of Bamborow to be walled with stone, that afore was but inclosed with woode;"[2] and the castle of Old Bale, in Yorkshire, is described by Camden as being at first fortified with thick planks of wood eighteen feet in length, and afterwards encircled with a wall of stone. These stone walls were constructed in a singular manner. They were faced, both without and within, with large square blocks, and the space between the facings was filled with a deposit of small rough flint stones or pebbles, mixed up with a strong cement of liquid quick-lime.[3]

[1] Strutt's Manners and Customs of the Inhabitants of England, vol. i. p. 25. "The groundwork of another of these Saxon castles is yet remaining at Witham, being between the church and the town; the form and size of it are yet very visible. This castle was likewise built by Edward the Elder, who resided at the castle of Maldon while this was completing, which was about the year 912 or 914. The middle circle contains the keep or castle, and is about 160 yards in diameter, and 486 yards round; the ditch is, in its present state, 260 feet in breadth, and beyond the ditch is the external vallum, which is yet in a very perfect condition, full four feet high, and 18 or 20 feet in breadth, the circumference of the whole being about 1000 yards."

[2] Leland's Collectanea, vol. i. p. 514.

[3] Will. Malmesbury says, speaking of King Athelstan,—"Urbem igitur illam (Exeter) quam contaminatæ gentis repurgio defæcaverat, turribus munivit, muro ex quadratis lapidibus cinxit." Willelmi Malmesburiensis Monachi. Gesta Regum Anglorum, vol. i. p. 214, edited, for the English Historical Society, and enriched with valuable notes, by my learned friend, Mr Hardy, Principal Keeper of the Records in the Tower.

In the progress of years the Saxons made great improvement in the art of building; and, in point of strength and security, their castles were capable of sustaining a creditable siege; but the apartments were low, ill-lighted, and gloomy; and it is not till some time after the Conquest that we find the Norman style of architecture introduced, and a more lofty and magnificent species of structures beginning to arise in England, and to make their way, with the arts and the manners of this great people, into Scotland. Owing, however, to the remote era in which the Scoto-Norman castles were built, time, and, in some instances, the tasteless and relentless hand of man have, in our own country, committed great ravages. The necessary policy, too, of Bruce, who dismantled and destroyed most of the castles which he took has been fatal to the future researches of the antiquary and the historian; and few fragments remain which can, on satisfactory grounds, be pronounced older than the reign of this monarch. Yet the records of the Chamberlains' Accounts, and the incidental notices of our early historians, furnish us with ample evidence that, in the building of castles and fortalices, and in the erection of those magnificent churches of which little but the ruins are now seen, Scotland had made great progress during the thirteenth century.

We have already seen the effectual precautions against attack which were taken by Alexander the Third, when it became certain that Haco, the King of Norway, had determined to invade his kingdom. The castles on the coast of Scotland were carefully inspected; and from the details regarding their repairs, which are to be found in the few extracts that remain of the Chamberlains' Accounts under this monarch, some interesting information may be gathered.

The northern coast of Scotland was defended by a series or chain of strong castles of stone, fortified by towers

and drawbridges, and containing a dungeon, provided with iron fetters for the prisoners, accommodation for the stores and warlike engines, guard-rooms for the garrison, and a great hall or state apartment where the baron or castellan resided and entertained his vassals. Their situation was generally chosen with great skill. If on the coast, advantage was taken of the vicinity of the sea; if in the interior, of some river or hill, or insulated rock, which rendered the approach on one side arduous or impossible, while care was taken to fortify the remaining sides by a deep fosse, and strong walls, with towers at each angle. Caerlaverock, a strong castle of the Maxwells, is thus described by an eye-witness in the year 1300, when it was besieged and taken by Edward the First:—"Its shape was like that of a shield, for it had only three sides all round, with a tower on each angle; but one of the towers was a double one, so high, so long, and so large, that under it was the gate with the drawbridge, well made and strong, and a sufficiency of other defences. It had good walls, and good ditches filled to the edge with water; and I believe there never was seen a castle more beautifully situated: for at once could be seen the Irish sea towards the west, and to the north a fine country, surrounded by an arm of the sea; so that no living man could approach it on two sides without putting himself in danger of the sea. Towards the south the attack was not easy, because there were numerous dangerous defiles of wood and marshes, besides ditches where the sea is on each side, and where the river makes a reach round, so that it was necessary for the host to approach it towards the east where the hill slopes."[1]

This minute description of Caerlaverock may, with slight alterations, introduced by the nature of the ground, or suggested by the fancy and ingenuity of the architect, be applied to most of the Scottish castles of the period. Two principles were to be followed out in their construction: they were to be fitted, in the first place, for strength and resistance; whilst, according to the rank of the feudal baron, provision was to be made for his being comfortably or splendidly accommodated; and although the first requisite was invariably made to regulate and control the second, yet it is impossible not to admire the skill and ingenuity with which the genius of those ancient architects contrived to combine security and comfort. The earliest specimens of the strong Anglo-Norman castle present us with a single square tower; and it is evident that the lowest storey of the castle, being most exposed to attack, was required to be formed in the strongest manner. We find, accordingly, that the walls in this part of the building, which formed the chambers where the stores were kept, and the dungeons for the prisoners, were invariably the strongest and thickest part of the building. These lower apartments were not lighted by windows, but by small loopholes in the solid stone, so ingeniously constructed, that it was nearly impossible from without to discharge into them any arrow or missile, so as to injure the soldiers within. The wall itself, which was here about twelve feet thick, was built in the same way as those of the Saxon castles, being cased within and without with strong large square blocks of hewn stone, and filled up in the middle with flints embedded in fluid mortar; and we know that the same mode of building was employed in both countries, not only by an examination of the Scoto-Norman castles which remain, but by the evidence of the entries in the Chamberlain Accounts.[2] The entrance or principal door leading into the castle was not in the lower storey;

[1] Siege of Caerlaverock. Edited, with notes, by Sir Harris Nicolas, pp. 61, 62.

[2] Thus in the Chamberlain Accounts, Temp. Alex. III. p. 64. "Item in conductione cementariorum, et hominum fragentium lapides fabrorum, et aliorum operariorum. In pastu et ferrura Equorum cariancium lapides, in calcem et in aliis minutis expensis factis circa construccionem Castri de Strivelin." 94 lib. 17 d. See Statist. Account, vol. xviii. p. 417; Description of Kildrummie Castle, and of Dundargue, vol. xii. p. 578.

but, for the purpose of security, generally placed pretty far up the wall, and communicating by a drawbridge,[1] with a flight of steps or staircase of strong masonry. The door itself was not only secured by a strong gate of thick oak, with iron knobs, but by a portcullis or grating, composed sometimes wholly of iron, sometimes of timber fenced with iron, furnished at the bottom with sharp spikes, and so constructed as to slide up and down in a groove of solid stone work, made within the body of the wall, in the same way as we see a sash window slide in its frame.[2] Within the doorway, and built in the thickness of the wall, was generally a stone seat, where the warder stationed himself, whose duty it was to keep castle guard, and who could at pleasure pull up the drawbridge and lower the portcullis when he suspected an attack, or wished to have a safe parley with a suspicious guest. On the second floor were the apartments where the soldiers of the garrison had their residence and lodging, and which, as it was much exposed to attack, had generally no windows in the front wall. The rooms were lighted by loopholes in the three remaining sides, which, surrounded by the strong wall enclosing the *ballium* or outer court of the castle, were more secure from the missiles of the enemy. The third floor contained the apartments of state, the hall of the castle where the baron lodged his friends and feasted his vassals. It was lighted by Gothic windows, highly ornamented, and was commonly hung with arras or rich tapestry, and adorned by a roof of carved oak. At each end of the apartment was a large recess in the wall, forming an arched fireplace, highly ornamented with carving, and frequently formed so as to have a stone seat all round; and in the middle of the hall was an oaken table, extending nearly the whole length of the apartment, and supported on beams or pillars of oak.

One of the finest specimens of the ancient feudal hall is still to be seen at Darnaway, once the seat of the great Randolph. Its roof is supported by diagonal rafters of massive oak; its height must originally have been above thirty feet, and its remaining proportions are eighty-nine feet in length, by thirty-five in breadth. At one end is a music gallery; and in the middle of this magnificent apartment still stands the baron's board or table, supported on six pillars of oak, curiously bordered and indented with Gothic carving. His ancient oaken chair, in form not unlike the coronation chair at Westminster, and carved with his arms and the insignia of his office,[3] is still seen; and although this description of Randolph's hall is not to be understood as applicable to the state apartment of all, or even of most, of our feudal castles, yet, making allowance for the difference in the proportions, the plan and disposition of the room is the same in all, and was singularly well adapted for that style of rude and abundant hospitality, when every man, who followed the banner of his lord, found a seat at his table, and every soldier who owned a jack and a spear might have a place at his hearth. The uppermost storey in the castle was composed of rooms of smaller dimensions, which were lighted by windows of considerable size; and in this highest floor, as from the great height there were little precautions to be taken against attack, the architect was at liberty to indulge his fancy in ornamenting the windows and the battlements; so that it is not unfrequent, in the most ancient feudal castles, to find the windows in the floor next the roof of the largest dimensions, and with the richest carving of any in the building. It was in these highest rooms that, during a siege, the catapults, balistæ, war-wolfs, and other instruments of annoyance and destruction were placed; and there was a communication between this highest storey and the roof,

[1] See the Description of the Ancient Castle of Dunaverty in Argyle, in which Bruce took refuge. Statistical Account, vol. iii. p. 365.

[2] Mr King's Observations on Ancient Castles, published in the Archæologia, vol. iv. p. 364, containing an acute and ingenious examination of this interesting subject.

[3] Statistical Account, vol. xx. p. 224.

through which they could be drawn up upon the leads of the castle as the exigencies of the siege required.

Such was the general construction and disposition of the feudal castles of those remote times; and any one fond of antiquities, and interested in the history of the country, may, in the course of a short tour in Scotland, convince himself of the truth of the description. Some, of course, were of larger dimensions, and covered a much greater extent of ground than others; and according to the required strength and importance of the station, and the nature of the ground, to many was added an outer or base court, surrounded by walls and flanking towers. Besides this, the castle itself was commonly encircled by a strong outer wall, communicating with a tower, the interior of which formed a kind of vestibule to the principal entrance of the castle; whilst, beyond the wall, was a broad breastwork or barbican, and a moat, which encircled the whole building. In 1325, Bruce had commanded the castle of Tarbet to be inspected and repaired; and a minute account of the expense laid out in increasing the breadth of the walls, building a new tower, and fortifying the approach by a fosse, is to be found in the Chamberlains' Accounts. The repairs appear to have occupied seven months; and, during this period, there was a consumption of seven hundred and sixty chalders of burnt lime, the expense of the whole work being four hundred and thirty pounds ten shillings and fivepence.[1]

Besides these stone buildings, adapted principally for strength and defence, it was common to construct halls and other apartments of wood within the outer court, and even to build castles and fortifications entirely of that perishable material. In the hall, the wooden framework, composed of strong beams of oak, was covered with a planking of fir, and this again laid over with plaster, which was adorned with painting and gilding,[2] whilst the large oak pillars supporting the building rested in an embedment of strong masonwork. When the Earl of Athole was assassinated by the Bissets at the tournament at Haddington, in the early part of the reign of Alexander the Third, the *hospitium* in which he slept and was murdered seems to have been a wooden building; and after the deed, the perpetrators burnt it, and a manor and palace connected with it, to the ground.[3]

There is a curious passage quoted by Camden, which, in describing the siege of Bedford castle during the reign of Henry the Third, throws considerable light on the disposition of these ancient buildings; and as the account is written by an eye-witness of the siege, the information is valuable and authentic:—"On the east side was one petrary and two mangonells daily playing upon the tower, and on the west were two mangonells battering the old tower; as also one on the south, and another on the north part, which beat down two passages through the walls that were next them. Besides these, there were two machines constructed of wood so as to be higher than the castle, and erected on purpose for the slingers and watchmen; they had also several machines where the slingers and cross-bowmen lay in wait; and another machine called cattus, under which the diggers that were employed to undermine the castle came in and went out. The castle was carried by four assaults. In the first was taken the barbican; in the second they got full possession of the outer ballia; at the third attack the wall by the old tower was thrown down by the miners,

[1] The items of the accounts will be found printed in the Illustrations. Chamberlains' Accounts, Compot. Const. de Tarbart, pp. 3. 4.

[2] Chamberlains' Accounts, p. 6. "In servicio duorum carpentariorum arca levacionem Aule in Castro . . . In servicio portancium et cariancium lutum et sabulonem pro parietibus Aule, et servicio diversorum operariorum circa easdem, et servicio tauberiorum et coopiencium, cum servicio duorum cimentarionum subponencium postes Aule cum petris et calce 15sh. 8d." Ibid. p. 38. "Item in VI. petris crete empt. pro pictura nova Cameræ apud Cardross." See also Strutt's Manners and Customs of the People of England, vol. ii. p. 95.

[3] Fordun a Goodal, vol. ii. p. 72.

from which, by a vigorous attack, they possessed themselves of the inner ballia through a breach. At the fourth assault, the miners set fire to the chief tower on the keep, so that the smoke burst out, and the tower itself was cloven to that degree as to shew visibly some broad rents, whereupon the enemy surrendered."[1]

In the various sieges which occurred in Scotland during the war of liberty, the same mode of attack was invariably adopted, by mining and battering the walls, and wheeling up to them immense covered machines, divided into different stages, from which the archers and cross-bowmen attacked the soldiers on the battlements of the castle.

With regard to the houses within burgh, which were inhabited by the wealthy merchants and artisans, and to the granges and cottages which formed the residence of the free farmers, the liberi firmarii, and of the unfortunate class of bondmen or villeyns, they appear to have been invariably built of wood. In the year 1243, eight of the richest burghs in Scotland were consumed by fire, and reduced to ashes;[2] and in the Chamberlains' Accounts we constantly meet, amongst the items of royal expenditure, with the sums paid to the carpenter, and the moneys laid out in the purchase of wood, for the construction of new granges, sheds, and cottages, upon the various manors possessed by the king. In 1228, Thomas de Thirlestane, one of those Lowland barons who had made his way into Moray, was attacked and slain in his stronghold by Gillescop, a Celtic chief, who afterwards destroyed several wooden castles in the same country, and consumed by fire a great part of Inverness;[3] and we know that the practice of building the houses within burgh of wood continued to a late period, both in England and Scotland. We generally connect the ideas of poverty, privation, and discomfort with a mansion constructed of such a material; but the idea is a modern error. At this day the mansion which Bernadotte occupied as his palace when he was crowned at Drontheim, a building of noble proportions, and containing splendid apartments, is wholly built of wood, like all the houses in Norway; and from the opulence of the Scottish burghers and merchants, during the reigns of Alexander the Third and David the Second, there seems good reason to believe that their houses were not destitute either of the comforts, or what were then termed the elegancies of life.

I come now to say a few words upon the third, and by far the noblest class of buildings which were to be seen in Scotland during this remote period—the monasteries, cathedrals, and religious houses. Few who have seen them will not confess that, in the grandeur of their plan, and the extraordinary skill and genius shewn in their execution, they are entitled to the highest praise; and if we read the description given in a monastic chronicle in the British Museum, of the earliest church at Glastonbury,[4] composed of wooden beams and twisted rods, and turn from this to the cathedral of St Magnus in Orkney, to the noble pile at Dunfermline, to the more light and beautiful remains of Melrose Abbey, or to the still more imposing examples of ecclesiastical architecture in England,—the strength of original genius in the creation of a new order of architecture, and the progress of mechanical knowledge in mastering the complicated details of its execution, are very remarkable.

There cannot be a doubt that we owe the perfection of this noble style to the monks; and although the exact era of its first appearance, either in England or in our own country, is difficult to be ascertained with precision, yet there are some valuable and interesting notices in our early historians, which make it probable that our first masters in the art of building churches in stone were the Italians.

[1] Camden, in Bedfordshire, p. 287, quoted in Strutt's Manners and Customs, vol. i. pp. 94, 95.

[2] Fordun a Goodal, vol. ii. p. 75.

[3] Ibid. pp. 57, 58.

[4] Cotton MS. Tib. A. V. Bede, Hist. Eccles. Gentis Anglorum, p. 169.

It may have happened that some of those master-minds which appear in the darkest times, when they had once acquired a degree of skill in the management of their materials, struck out the idea of imitating in stone the wooden edifices of the period; and when working from models of twisted willow-rods, the pliable material of which the walls and ornaments of our ancient religious houses were constructed,[1] the ideas of the arch, the pillars, the groined roof, and the tracery of the windows, began gradually to develop themselves in a manner shewn by an able and acute writer[2] to be perfectly natural and intelligible. Indeed, when the idea was once seized, and it was found that the knowledge of working in stone, and of the mechanical powers which the age possessed, was sufficient to reduce it to practice, we can easily conceive that its future progress towards perfection may have been tolerably easy and rapid.

The infinity of beautiful Gothic forms which are capable of being wrought, and which almost necessarily suggest themselves to an artist working in willow, and the admirable skill in carving and imitating in stone which was acquired by the monkish artists at an early period, produced an action and reaction on each other; and the same writer already mentioned has shewn, by a careful analysis of every portion of a Gothic church, that there is not a single ornament in its structure and composition which does not serve to corroborate this idea. As to our earliest Norman builders having been instructed by the Italians, there is historical evidence. In the year 1174, the cathedral church at Canterbury was destroyed by fire, and in a description by Eadmer, a contemporary writer, it is stated that this ancient edifice was built by the assistance of Roman artists, after the model of the church of St Peter's at Rome.[3]

[1] Simeon Dunelm. p. 27.

[2] Sir James Hall's Essay on the Origin, History, and Principles of Gothic Architecture.

[3] Chronica Gervasii, Pars Prima, de Combustione et Reparatione Durobornenis Ecclesiæ, 1290. Twysden, vol. ii.

That the most ancient churches in Britain were constructed of pillars and a framework of oak, covered with reeds or twisted rods, we know from authentic evidence; and it is asserted by Gervas, in his account of the rebuilding of the church of Canterbury, after its destruction by fire, that, whereas in the ancient structure the roof had been composed of wood, and decorated with exquisite painting, in the new church it was constructed of an arch, built of stone, and light tufle-work.[4] Nay, even the name of the adventurous artist who first seems to have conceived the bold idea of working the ribbed and vaulted ceiling in stone, in the same way in which it had formerly been executed in wood, has been preserved to us: it was William of Sens, a French artist. He invented also, as we learn from the monkish historian who was an eye-witness of his labours, ingenious machines for the loading and unloading the ships which brought the stones from foreign parts, in all probability from Normandy, as well as for raising aloft the immense weights of lime and of stone which were required in the building; he furnished the stone-cutters with working plans, or models, which guided them in their nice and difficult operations; and he began to form the ribbed arches and vaulted panels upon a framework of timber, to which was attached the scaffolding where the masons stood. As the building proceeded, this scaffolding unfortunately gave way, and the adventurous artist was incurably maimed. But he had struck out the idea; and it was more successfully carried into execution by an English architect who succeeded him.[5] It is the opinion of the acute writer who has pointed out this first and most important step in the progress of our ecclesiastical architecture, that the idea of ornamenting the great pillars with groups of smaller columns surrounding them, was introduced at the same period, and by the same artist.[6]

[4] Gervasii Chronica, p. 1298.

[5] See Archæologia, vol. ix. p. 115. Governor Pownall on Gothic Architecture.

[6] Ibid. p. 116.

The art of executing large and magnificent buildings in timber framework was carried to high perfection in the northern countries of Europe during the tenth, eleventh, and twelfth centuries. It had made great progress in England, and was there known and practised in the building of churches, under the name of the Teutonic style. Owing, however, to the perishable nature of the materials, and to accidents by fire, these churches were frequently either destroyed, or reduced to a state of extreme decay; so that the ruinous state of the ecclesiastical edifices in the northern parts of Europe became a serious subject of inquiry at Rome about the commencement of the thirteenth century; and measures were taken to obviate the grievance. These measures were of a singular nature. The Pope created several corporations of Roman and Italian architects and artisans, with high and exclusive privileges; especially with a power of settling the rates and prices of their labour by their own authority, and without being controlled by the municipal laws of the country where they worked. To the various northern countries where the churches had fallen into a state of decay, were these artists deputed; and, as the first appearances of the Gothic architecture in Europe was nearly coincident with this mission of Roman artists, and, as has already been observed, the new style of imitating the arched framework of wood by ribbed arches of stone was known by the name of the Roman style, there arises a presumption that we owe this magnificent style of architecture to these travelling corporations of artists, who in consequence of the exclusive privileges which they enjoyed assumed to themselves the name of Freemasons, and under this title became famous throughout Europe.[1] These same corporations, from their first origin, possessed the power of taking apprentices, and admitting into their body such masons as they approved of in the countries where their works were carried on; so that, although the style may have originated amongst Italian artists, it is quite possible it may have been brought to perfection by other masters, who were natives of the different countries to which these Roman workmen were sent; and this will account for the fact that the church of Canterbury, in which the ribbed arch of stone is supposed to have been introduced for the first time into England, was originally the work of a Norman, and afterwards completed by an English architect.

In speaking of these corporations of architects of the Middle Ages, Sir Christopher Wren has given, in his Parentalia, the following account of their constitution:—"The Italians, with some Greek refugees, and with them French, Germans, and Flemings, joined into a fraternity of architects, procuring Papal bulls for their encouragement, and particular privileges: they styled themselves Freemasons, and ranged from one nation to another as they found churches to be built; for very many, in those ages, were everywhere in building, through piety or emulation. . Their government was regular; and where they fixed near the building in hand, they made a camp of huts. A surveyor governed in chief; every tenth man was called a warden, and overlooked each nine; and the gentlemen of the neighbourhood, either out of charity, or commutation of penance, gave the materials and the carriages. Those," adds Sir Christopher, "who have seen the accounts, in records, of the charge of the fabrics of some of our cathedrals, near four hundred years old, cannot but have a great esteem for their economy, and admire how soon they erected such lofty structures."[2]

This new and noble style of ecclesiastical architecture found its way into Scotland about the beginning of the twelfth century; and, fostered by the increasing wealth of the Church, and by the devotion and munificence of

[1] Sir James Hall's Essay on Gothic Architecture, pp. 109, 114.

[2] Parentalia, pp. 306, 307. I have in vain looked for the original authorities upon which Sir Christopher Wren and Governor Pownall have founded this description of the travelling corporations of Roman architects.

our early monarchs, soon reached a pitch of excellence not far inferior to that which it had attained in England and in France. Besides fourteen bishops' sees, to most of which was attached a Gothic cathedral and palace, there existed at the time of the Reformation a hundred and seventy-eight religious houses, consisting of abbacies, priories, convents, and monasteries, most of which were richly endowed, situated in the midst of noble woods, surrounded by spacious gardens, parks, and orchards; and exhibiting, in the style of their architecture, specimens of the progressive improvement of the art, from the simple and massy Saxon to the most florid Gothic. It is subject of deep regret that some of the strong-minded and strong-handed spirits, who afterwards acted a principal part in the Reformation, adopted the erroneous idea that these noble edifices were inconsistent with the purity of the worship which they professed; and that they permitted, or, as some authors have asserted, encouraged the populace to destroy them.

SECTION VI.

SPORTS AND AMUSEMENTS.

In this inquiry, where an attempt has been made to give something like a civil history of the country, the sports and amusements of our ancestors form a subject of interesting research; although here, as on almost all other similar points, we have to lament the extreme scarcity of authentic materials. The chivalrous amusements of Scotland appear to have been the same as in the other feudal countries of Europe. Hunting and hawking, the tourney or play at arms, the reading of romances, the game of chess, masques and feasts, minstrelsy and juggler's tricks, with the licensed wit of the fool, filled up the intervals of leisure which were spared from public or private war.

With regard to hunting, the immense forests with which, as we have already seen, our country was covered during this period gave every facility for the cultivation of this noble pastime; and there is ample evidence that at an early period the chase formed one of the principal recreations of the kings and the barons of Scotland. David the First recounted to Ethelred, abbot of Rievaux, an anecdote regarding Malcolm Canmore, his father, which illustrates this in a minute and striking manner. Malcolm had received private information that a plot against his life was laid by one of his courtiers in whom he placed confidence. The king took no notice of the discovery, but calmly awaited the arrival of the traitor with his vassals and followers at court; and when they came, gave orders for his huntsmen and hounds to prepare for the chase, and be waiting for him on the first dawn of the morning. "And now," says Ethelred, "when Aurora had driven away the night, King Malcolm assembled his chief officers and nobles, with whom he proceeded to take the pastime of the chase in a green plain which was thickly surrounded by a wood. In the middle of this forest was a gentle eminence profusely covered with wild flowers, in which the hunters after the fatigues of the chase were accustomed to repose and solace themselves. Upon this eminence the king stood; and according to that law or custom of the chase which the vulgar call the *trysta*, having allotted certain stations to the different nobles and their dogs in such a manner that the game should meet death wherever it attempted to make its escape, he dismissed them, but requested the traitor to remain alone with him, whilst the rest departed. When this was done, the king took him aside to a more remote part of the wood, and drawing his sword, informed him that he knew well the whole of his treachery. 'We are alone,' said he, 'and on an equal footing, as becomes brave men; both are armed, both are mounted; neither of us can receive assistance. You have sought my life: take it if you are able.'"[1]

[1] Ethelredus de Genealogia Regum Anglorum, p. 367. Inter X Scriptores Twysden, vol. i.

It is hardly necessary to add, that this heroic conduct of the king was followed by the immediate contrition and pardon of his heart-struck vassal.

The use of the term *trysta* in this passage enables us to throw some additional light upon the ancient customs of the chase in Scotland. The law of trysta, which Ethelred here alludes to, was one by which the king's vassals, when he took the pastime of the chase, were bound to attend the royal muster at the ground appointed, with a certain number of hounds; and the phrase yet used in Scotland, to "keep tryst," seems to be derived from this ancient practice in woodcraft.[1] In the Highlands at this day, the mode of hunting by what is called a *tenkle* is very similar to the trysta held upon this occasion by Malcolm Canmore. David the First appears to have been no less fond of hunting than his father Malcolm. Indeed, we may believe that his intimate connexion with England, previous to his coming to the throne, must have given him an additional love for an amusement which the Normans then followed with an enthusiasm which transformed it from a recreation into a science. Accordingly, when Robert de Bruce, previous to the great battle of the Standard, in which David was so cruelly defeated, employed his eloquence to persuade the king, his old friend and brother-in-arms, to desist from his unjust invasion of England, he not only mentions the mutual perils and labours which they had shared, but especially alludes to the delight which they had experienced in the chase, and the pleasures of hawking and hunting;[2] and in that beautiful and touching eulogium which Ethelred has left us of the same monarch, who was his friend and patron, we find this testimony alike to his humanity and his love of the chase:—"Often with these eyes have I seen him draw back his foot when it was already in the stirrup, and he was just mounting to follow the diversion of the chase, should the voice of any poor supplicant be heard petitioning for an audience; the horse was left, the amusement for that day given up, and the king would return into his palace."[3]

Whether William the Lion, or Alexander the Second, the immediate successors of David the First, were much addicted to this healthy and heart-stirring exercise, we have no ground to determine; but Alexander the Third certainly kept a falconer, and the sums of money expended in the support of his hawks and dogs appear in those valuable fragments of the Chamberlains' Accounts of this early reign, which have been already so often quoted. In 1263, this monarch enjoyed the sport of hawking at his palace of Forfar, where, along with his queen and nobility, he held his court for twenty-nine weeks; and the expenses of the king's horses, of his falcons, and even of a bitch with seven puppies, are minutely recorded.[4] Besides the grain consumed by these winged and four-footed favourites, the king had to pay the sum of eight pounds twelve shillings and sixpence to his falconer, William de Hamyll; and that of four pounds seven shillings to the grooms who kept his horses.[5]

It appears to have been the custom of our monarchs to remove their court at different seasons to the various palaces, estates, or manors, which they possessed in private property; and on such occasions, as well as when the

[1] Ducange, voce Trista, who quotes Coke, part iv. Institut. p. 306. In a charter of Edward III., Monast. Anglican. vol. ii. p. 827, we find, "Et sont quieti de Henedpenny, Huckstall, et Tristis."

[2] Ethelredus de Bello Standardi, p. 345.

[3] Fordun a Hearne, vol. iv. p. 904.

[4] Compotum E. de Montealto Vicecomitis de Forfar, pp. 12, 13. "Redditus farine ordei de illo anno de Forfar et glammes, ix. celd. v boll. farine ordei. Expens. in servicio regis iii celd. ii bol. et i firthelota. Item in servicio regine novem boll et dimidium. Item in expensis septem catulorum et eorum matris prehendinancium etc. iiii celd. x lib. . . . Item in expensis Willielmi de Hamyll prehendinantis apud Forfar cum falconibus dni regis per xxix septimanas et duos dies anno 1263, viii C. et dimidium celdre, et tres partes unius boll. Item in expensis Equorum dni regis prehendinancium apud Forfar usque ad diem hujus computi xiiii C. et vi bol. prebende." Ibid. p. 38, we find the four falconers of Dunipace.

[5] Ibid. pp. 13, 14.

exigencies of the state required the personal presence of the sovereign in any part of his dominions, the hounds of the royal household formed part of the equipage which accompanied him.[1] About the same period, the preservation of the game; the enclosing the parks or chases round the royal castles by strong wooden pales; the feeding the does during the winter; the employment of park-keepers, whose business was to guard the forest from waste or intrusion; and of fox-hunters, who were hired to destroy the beasts of prey and noxious vermin, are all occupations which appear in the Chamberlain's Accounts, and evince a sedulous attention to the sports of the field.[2]

In the romance of Sir Tristrem, which may be quoted as good authority for the manners of Scotland in the days of Alexander the Third, we meet with some characteristic pictures of the sports and amusements of the times; and amongst these the chase holds, as might be expected, a most conspicuous place. The hero is the very king of hunters, and his profound acquaintance with the mystery of woodcraft is dwelt upon with a fond minuteness, which proves how high was the place which the science occupied in what were then considered the accomplishments of a brave and perfect knight. Tristrem, in travelling through a forest, encounters a company of huntsmen, who are returning from the chase with their hounds in leash, and the game which they had slain. He is scandalised at the awkward and unsportsmanlike manner in which they had broke up the venison; and on upbraiding them for their want of science, an unflayed hart is thrown down before him, and he is courteously requested to give them a lesson. This he performs in a manner so masterly and admirable, that the huntsmen are in ecstacies; and this new and superior mode of carving the buck is communicated to the king of the country, who esteems himself fortunate in having lived at an era when knowledge was destined to make so important a step towards perfection.[3] From the whole adventure, it is evident, that to break up a stag, or, in the language of Sir Tristrem, to "dight the erber" according to the most scientific method; to give his rights to the forester, the nombles to the hunters and spectators, the quarre to the hounds, and the expected corbin bone to the raven; to allot the due portion to himself as carver; to tie up the paunch with the grease; to preserve the gurgiloun; and, lastly, to recite the appropriate rhyme, and blow the tokening or death-note, were considered matters of deep study, and of no very easy attainment, which in those early ages formed a material part of a chivalrous and noble education, and which, it must be observed, constituted only a small portion of the complicated science of woodcraft. It is evident that Robert Bruce, who seems to have been accounted one of the most accomplished knights of his time, was an adept in the mysteries of the chase. He winds his horn in so masterly a way, that Sir James Douglas instantly pronounces that blast to be none but the king's; and the strength with which he draws the bow, and the unerring aim with which the shaft is directed, are particularly mentioned by Barbour. Indeed, for many months, when he led the life of a proscribed and wandering fugitive, he and his followers were driven to support themselves by the chase;[4] and there is evidence in the Chamberlains' Accounts that his dogs, his falcons, his horses, and his huntsmen were afterwards subjects of considerable care and expense.[5]

[1] Compotum E. de Montealto Vicecomitis de Forfar, p. 20.

[2] Compotum Patricii de Graham Vicecomitis de Strivelin. Chamberlains' Accounts, p. 61.

[3] Romance of Sir Tristrem, pp. 31, 32, 33. Fytte i. stanza 41 to 49 incl. Notes, p. 277.

[4] Barbour, pp. 40, 55, 80, 107.

[5] "Gilisio Venatori ex dona dni regis p. lram. 13 sh. 4 d." Compotum Constab. de Cardross, p. 39. Chamberlains' Accounts. Ibid. p. 40. "Item pro emendatione et tectura domus cuidam pro falconibus ibidem, cum constructione cuidam sepis circa ipsam domum 2 sh." Ibid. p. 44. "Item Gilisio venatori capiente boll. per iii. septimanas," &c.

At a remote period, indeed, we find that the Scottish stag-hounds and wolf-dogs were prized in foreign countries;[1] and, under the reign of David the Second, the character of the Scottish dogs and falcons stood so high, that they became an article of export;[2] while in the charters of the island lords the eyries of falcons are particularly mentioned.[3] The hawks of Norway, however, for strength and flight, were the most famous in the world; and there is a curious early notice in Sir Tristrem, which shews that the Norwegian merchant-ships imported them into Scotland.

"Ther com a schip of Norway
To Sir Rohante's hold,
With hawkes white and grey,
And panes fair y fold."[4]

In the Chamberlains' Accounts, the falconer of John of the Isles appears bringing falcons to David the Second;[6] and from the enthusiasm with which the sport of hawking is described in the early romances, and the gravity with which its mysteries are explained, we may conclude that in Scotland, as in the other countries of Europe, it was esteemed one of the most fascinating of feudal pastimes. It is easy, indeed, if we carry our mind back to the thirteenth or fourteenth century, to imagine how imposing and delightful must have been those field sports of our ancestors. Let us for a moment dwell on the picture. We see the sun just rising upon a noble chase, or park, with breezy slopes and gentle undulations, variegated with majestic oaks, and getting wilder and more rugged as you approach the mountains that surround it. His level rays are glancing on the windows of a baron's castle, and illuminating the massy gray walls, till they look as if they were built of gold. By and by, symptoms of busy preparation are seen: horses are led into the court; knights, squires, and grooms are booting and mounting, and talking of the coming sport; the huntsmen and the falconer stand ready at the gate; and the ladies' palfreys, led by their pages, are waiting for their fair mistresses. At last, these gentle dames descend from their bower, and each, assisted by her favourite knight, "lightly springs to selle;" the aged baron himself is gravely mounted, and leads the way; and the court of the castle rings with hoof and horn as the brilliant and joyous cavalcade cross the drawbridge, and disperse themselves through the good greenwood. There are few who could resist a wish to join in the pastime.

Within doors, and when not occupied by war or the chase, we are apt to believe that the time must have passed somewhat heavily with our ancestors; yet here, too, they had their resources. In the first place, their solemn feasts and banquetings were on a great scale, occupied much of their attention, and were not speedily concluded, if we may form an opinion from the variety and quantity of the viands.

All great occasions of festivity or solemnity, such as baptisms and marriages, the installation of bishops or other dignified churchmen, the recurrence of Christmas and the new year, the birthday of the king or the prince, it was the custom of those ancient times to commemorate by feasts; and the Chamberlains' Accounts of our early monarchs afford ample evidence of the scale upon which these entertainments were conducted. Immense quantities of beef and mutton, of pork and poultry; large and constant supplies of salmon, herring, hard fish and white fish, sturgeons, lampreys, and eels in great abundance; large importations of white and red wine, with a variety of spiceries and sweetmeats, besides figs, raisins, oil of olives, gingerbread, wax, vinegar, verjuice, and porpoises, form the anomalous and multifarious articles which swell the

1 Sir James Ware's Antiquities of Ireland, vol. ii. p. 166. Edition by Harris.

2 Rotuli Scotiæ, p. 891. 20th May 1365. "Salvus' Cond. pro Scutifero Godefridi de Roos Canes, et Falcones e Scotia ducturo."

3 Robertson's Parliamentary Records, p. 89. Carta Reginaldi Filii Rodorici. "*Una cum æriis falconum.*"

4 Sir Tristrem, p. 25, notes, p. 274. Ware's Antiquities of Ireland, in his works by Harris, vol. ii. p. 172.

5 Chamberlains' Accounts, p. 282. "Cuidam falconario Johannis de Insulis portant. falcones dni regis 13 sh. 4 d."

account of William de Buthirgask, clerk of the kitchen to the good king Robert.[1] These were the articles of usual and daily consumption; but on occasions of unusual festivity, the entertainments were in the last degree extravagant and expensive. At the feast given at Canterbury on the installation of Ralph, abbot of St Augustine, six thousand guests sat down to a dinner of three thousand dishes;[2] and this was far exceeded by the splendour of the marriage banquet when the Earl of Cornwall espoused Cincia, the daughter of the Count of Provence, upon which occasion thirty thousand dishes were served up to an immense assemblage of guests, who had arrived from the remote parts of England as well as from Scotland.[3] In the feast which was given by the Archbishop of York upon the marriage of Alexander the Third, sixty stalled oxen were slain to furnish out the first course, and the rest of the entertainment was on an equal scale of magnificence. It was the custom, at these feasts, to bring in the boar's head with great state; sometimes the whole boar himself, stuffed, and standing on his legs, surrounded by a fortification of pastry, from the battlements of which little flags and banners waved over the grisly savage, was ushered in, carried by the master of the feast and his servants, with the trumpets sounding before him. In like manner the peacock, the swan, and the heron were greatly esteemed in those times, and brought in, with their plumage unbroken, upon plateaus richly gilt, and with a network of gold thrown over them; whilst, between the courses, the guests were entertained by a species of opera, acted by little puppets of paste, in which Arthur and his Knights of the Round Table, Godfrey of Bulloign, or some such heroes, performed their parts amidst magic islands, captive ladies, turbaned pagans, fiery dragons, and all the fantastic machinery of the period. When this was concluded, the company again resumed the feast, which was continued till a late hour, and often prolonged for many days.

These were the solemn banquets of the Middle Ages; but even their ordinary meals, when the baron, in his feudal hall, feasted his vassals twice a day, were conducted with rude plenty and protracted hospitality. They dined early; and from the quantity of wines and spices imported into the country, there is reason to believe they sat late.

In the reign of Alexander the Third, the famous Thomas the Rhymer and the Earl of Dunbar, in whose castle he lived, sat down to dinner before twelve o'clock;[4] and, between the diversion afforded by the licensed wit of the fools who were kept by the king and the higher nobles; the hours spent in the game of chess, then popular; the listening to the lays of the harpers and minstrels, and the reading romances of interminable length, the day glided away.[5] We are to remember, also, that much time was spent in the devotions of the Catholic Church; that the labours of the needle and embroidery filled up many hours of a lady's life; whilst the older knights and barons, who received into their castles the sons of the nobility for the purpose of superintending their education, devoted much of their leisure to this occupation. In the speech which Walter Espec addresses to the English barons before the battle of the Standard, chess and dice are alluded to as the games in which the youthful knights passed their time; while the reading works of history, or the listening to the *gests* of their warlike ancestors, are considered as the more appropriate employments of an aged baron.[6]

At an early period in our history the system of chivalry made its way into Scotland, and gave that romantic tone to the character of the people

[1] Chamberlains' Accounts, pp. 74 to 85.
[2] Chronica, W. Thorn, p. 2010.
[3] Math. Paris, p. 536.
[4] Fordun a Goodal, vol. ii. p. 131.
[5] Rotuli Compotorum, Temp. Alex. III. p. 4. Compotum Constab. de Cardross, p. 41. Sir Tristrem, fytte i. sec. 29, 30. Compotus Camerarii, p. 96. Barbour, pp. 49, 54. Sir Tristrem, notes on fytte ii. p. 306.
[6] Ethelredus de Bello Standardi, p. 330.

which its usages, in a greater or less degree, communicated to every country in Europe. The early intercourse of our country with Scandinavia, the possession of the Western Isles, and of part of the mainland by the northern nations, and the circumstance that the Gothic tribes, at a remote period, had extended themselves over the whole of the Lowlands, created a predisposition in favour of this system of manners; for the first rude germ of chivalry is undoubtedly to be found in the habits and the character of this heroic race of men. Their unshaken and generous courage; the high and dignified station occupied by their women; their love of enterprise and adventure; their consideration for their scalds and minstrels; and their passion for marvellous and romantic fictions, are just so many features which, with a slight change, we find in chivalry under its more advanced and artificial shape. We are not, therefore, to wonder that, even as early as the end of the eleventh century, when Duncan, assisted by the Norman knights and soldiers of William Rufus, expelled Donald Bane from the throne, the light of chivalry is seen beginning to dawn in Scotland;[1] but the subsequent expulsion of the Normans and English by the Celtic population was unfavourable for a time to its further progress.[2]

Under Alexander the First, and during the reign of that wise and excellent prince, David the First, some traces of chivalrous manners and education are perceptible in the education of Henry of Anjou at the court of the latter monarch, and in the ceremony of the young prince receiving from the hands of David the order of knighthood when he had completed his sixteenth year.[3] Under Malcolm the Fourth and his successor in the throne, William the Lion, the thirst for knightly renown, and the existence of chivalrous manners, are distinctly seen. It was not till Malcolm had gained his spurs in France, by fighting at the siege of Thoulouse under the banner of the King of England, that this monarch, in the city of Tours, girded the youthful king with the belt of knighthood. During the same reign we have an example of a baron accused of treason appealing to his sword, and perishing in single combat; and the spirited speech of William the Lion, when he and a body of his barons were surprised and taken prisoners before Alnwick, "Now it will be seen who are good knights!" is decisive as to the progress of chivalry in Scotland during the twelfth century.[4] Indeed, the warm attachment of Richard Cœur de Lion, the most chivalrous of kings, to William the Lion, and the constant friendly intercourse which subsisted during this reign between the two countries,[5] could not fail to have its influence in disseminating the principles of a system which, in England, had taken such a hold both upon the monarch and the nation. Accordingly when William, in 1186, married Ermengarde de Beaumont, part of the dower stipulated in the marriage contract consisted in the feudal services of forty knights;[6] and the virtues of this monarch, as they are enumerated by Winton, his tenderness and fidelity in friendship, his generous emulation and companionship with Richard in deeds of renown, his courtesy and generosity, are all of

1 Sax. Chron. by Ingram, pp. 307, 310. Duncan was knighted by William Rufus.

2 Simeon Dunelm, p. 219.

3 Chron. Thom. Wikes, p. 29. From this author, as well as from Hoveden, p. 490, there is little doubt, I think, that Henry was educated at the court of David. After his military education was completed, he appears to have gone over to Normandy; and upon his return from that country to England, he repaired to David at Carlisle, and was knighted.

I differ here from Lord Hailes, who pronounces it to be certain that Henry had no more than an occasional interview with David, and founds his opinion upon Gervas, p. 1366; W. Neubrig. p. 75; and J. Hagulstad. p. 277. If the reader will examine these passages, he will, I think, agree with me that they do not support such an assertion.

4 Fordun a Goodal, vol. i. p. 450. Chronicon Sanctæ Crucis, p. 33. Editio Bannatynian. Gervas, p. 1381. Gulielm. Neubrig. p. 287. "Illico ferociter arma concutiens, suoque verbo simul et exemplo accendens, modo inquit, Apparebit quis miles esse noverit."

5 Fordun a Goodal, vol. i. p. 507. Winton, vol. i. p. 339.

6 R. Hoveden, p. 632.

them chivalrous. A passion for religious war, and a thirst for the glory which was gained against the Infidels, was the only ingredient wanting to complete the chivalrous character of the country; and this last principle is to be seen in the conduct of David, earl of Huntingdon, the brother of William the Lion, who assumed the cross immediately after his marriage, and departed for the Holy War in company with Richard the First.[1]

Not long after the departure of the Earl of Huntingdon for the Holy Land, William Malvoisine, the bishop of St Andrews, in a great council of the clergy held at Perth, preached a crusade, and deputed many emissaries throughout Scotland to enforce the same holy warfare in their sermons and addresses to the people; but, although multitudes of the middle and lower classes assumed the cross, they were joined by few of the rich and the powerful in the land.[2]

The tournaments we find an established amusement in Scotland under Alexander the Second. This monarch himself received the belt of knighthood from John, king of England; and, under the reign of his successor, we see, in the remarkable debate which arose on the subject whether the youthful monarch could be crowned before he was knighted, how strong a hold the system and institutions of chivalry had taken of the national mind. When Bisset was accused of the murder of the Earl of Athole, he instantly appealed to his sword. The marriage of Alexander the Third; the feasts and music; the sumptuous dresses and largesses; the future progresses of the youthful king and his consort to visit their father's court,—were full of all the pomp and circumstance of chivalry. The character of Alan Durward, celebrated as being the flower of Scottish knighthood; the solemnity with which we find this order conferred by the sovereign upon the sons of the nobility at the palace of Scone; the increasing passion for the crusades; and the departure of many of the Scottish nobles for Palestine, confirm this opinion;[3] but it is chiefly under the reign of Bruce, and his son David the Second, that we discover the complete introduction of chivalry into Scotland.

The work, indeed, to which this great king devoted his life was of too serious a nature to be often interrupted or encroached upon by the splendid and fantastic trifling of chivalry. Yet, in personal prowess, and the use of his weapons, Bruce was accounted one of the best knights in Europe; and in Ireland we find the king halting the army, when retreating in circumstances of extreme difficulty, on hearing the cries of a poor *lavendere*, or washerwoman, who had been seized with labour, commanding a tent to be pitched for her, and taking measures for her pursuing her journey when she was able to travel: an action full of the tenderness and courtesy so especially inculcated by chivalry, yet springing here, perhaps, not so much from the artificial feelings of a system, as from the genuine dictates of a brave and gentle heart. Bruce, and Douglas, and Randolph, it may be said, were too good soldiers and patriots to be diverted from their objects by the pursuit of personal adventure; but, from the nature of the long war with the English, feats of individual prowess, and gallant "points of arms," performed by a handful of brave vassals and partisans, were often the only efforts which kept up the desponding spirits of the nation; and the spirit of chivalrous adventure, and of useful patriotic exertion, thus became simultaneous and compatible in their operation.

The battle of Bannockburn, it has been said by a late writer on chivalry, was not a chivalrous battle.[4] In one respect it assuredly was not similar to Poictiers and Cressy, which the same writer has dwelt on with justifiable

[1] It ought to be observed, however, that this crusade of the king's brother rests only on the apocryphal authority of Boece, and is not to be found in the more authentic pages of Fordun or Winton.

[2] Fordun a Goodal, vol. i. p. 534.

[3] Fordun a Goodal, vol. ii. pp. 72, 73, 80, 112, 113.

[4] Mill's History of Chivalry, vol. i. p. 402.

enthusiasm; for the laurels of Cressy and Poictiers were barren as to everything but glory, while at Bannockburn the freedom of a whole people was sealed and secured for ever. But it would be difficult, either at Cressy or Poictiers, to select two finer examples of chivalrous daring than the defeat of Clifford by Randolph, and the single combat between Bruce and Boune in the presence of the two armies: and the courtesy of Bruce to his noble captives is more natural than the overstrained generosity of the Black Prince to his royal prisoner King John. That well-known incident, the triumphant entry of the Black Prince into London, mounted on a little palfrey, whilst the person of the King of France was displayed upon a noble horse in gorgeous trappings, had something in it too ostentatious and condescending to merit the encomium which has generally been bestowed on it. It is not to be forgotten, also, in estimating the comparative influence of chivalrous principles upon the character of Bruce, when compared with that of the First and Third Edwards and the Black Prince, that there does not occur during the whole reign of the Scottish king, even in those moments when most exasperated by personal injuries, and when he possessed ample power of giving loose to a spirit of revenge, a single instance of cruel or vindictive retaliation. On the other hand, the massacre of Berwick, and the imprisonment of the Countess of Buchan by Edward the First; the intended sacrifice of the six citizens of Calais; the penurious economy with which the captive king and the Scottish prisoners were treated after the battle of Durham, by Edward the Third; and the massacre of Limoges by the Black Prince, remind us that these heroic men, although generous in the use of victory, could sometimes be irritated by defeat into cruelty and revenge. But while Bruce was true to his chivalrous faith in kindness, courtesy, and humanity, he permitted not the love of personal adventure to interfere with that strict military discipline which he rigidly maintained; and on one memorable occasion, in his Irish campaign, the king, with his truncheon, nearly felled to the ground a young knight, named Sir Colin Campbell, for daring to break the array, that he might revenge an insult offered him by one of the skirmishers of the enemy.[1] We have already seen what a rich glow of chivalrous devotion was shed over the last scene of his life; and in the whole history of this singular system, which for so many centuries possessed such an influence over European manners, it will not be easy to point out a more striking event than the death of the good Sir James, in his first battle against the Moors in Spain.

In this inquiry we have not yet made any remarks upon the dress, the arms, and the warlike accoutrements of those remote times; and yet the subject, although of inferior interest to many other branches of the history of manners, is of considerable importance in estimating the civilisation of the period. Ascending, then, to that period under David the First, when, as we have already seen, his people were of a mixed race, including the tribes of Celtic original, as well as the Saxons and Normans, we find that the first-mentioned race were in dress and arms far inferior to his subjects of Gothic origin. They were armed with long spears pointed with steel, but so blunt as to be incapable of doing much execution, and which not unfrequently broke at the first thrust;[2] they bore also swords, and darts or javelins, and made use of a hooked weapon of steel, with which they laid hold of their enemies; their shields were formed of strong cowhide; a rough mantle, or outer coat of leather tanned with the hair on, was thrown over their shoulders, which, on occasions of show or ceremony, was exchanged for a scarlet

[1] Barbour, pp. 315, 316. See, for a duel in 1329, Chamberlains' Accounts, p. 136. "Et vic de Edinburgh pro factura Parci juxta Edinburgh ubi milites pugnabant, et in quo miles Anglie fuit devictus, vi lib. xiii sh. iiii d." And again, in 1364, under David the Second, Chamberlains' Accounts, p. 427, "Et Simoni Reed pro factura palicii pro duello."

[2] Ethelredus de Bello Standardi, p. 340.

robe; and their under vestment was so short, that from the knee downwards the leg was wholly bare.[1] They allowed their hair and beards to grow to such a length, that their countenances were almost covered. Even their nobles and leaders appear to have been strangers to the steel armour of the Saxons and Normans; for we have already remarked that the Earl of Strathern, on the eve of the battle of the Standard, reproached David the First for trusting too much to the steel coats of his Norman subjects; and boasted that, unarmed as he was, he would precede Alan de Percy in the onset.[2] This dress and these weapons were common to the whole race of the Celts; and are evidently the same with those used by the Irish, as we find them described by one of the ablest antiquaries who has written upon the subject.[3] The Galwegians appear to have been generally mounted; but they were accustomed to act, according to the emergency, either on foot or horseback; and, by the fury of their charge, which they accompanied with loud yells of "Albyn! Albyn!" they not unfrequently succeeded in throwing into disorder, and eventually cutting to pieces the more disciplined troops which were brought against them.[4] They understood, also, the art of defending their mountain passes by barriers of trees, which they felled and placed transversely, so as to oppose an almost impenetrable obstacle to an invading army. But although brave to excess, and, according to their own rude degree of knowledge, skilful in war, their manners were cruel and ferocious; and the picture left us, by a faithful contemporary, of their excesses is too revolting to be dwelt upon.[5]

[1] "Hispida Chlamys, Crus intectum." Fordun a Goodal, vol. ii. p. 82.

[2] Ethelredus de Bello Standardi, p. 342. Ralph de Diceto, p. 573.

[3] Sir James Ware, Irish Antiquities, vol. ii. pp. 175, 176.

[4] Benedict. Abbas, p. 447. Rog. de Hoved. p. 813, quoted in Ritson's Ann. of Caledonians, vol. ii. p. 293. Richar. Prior. Hagulstad. p. 322. Ethelredus de Bello Standardi, p. 345.

[5] Ethelredus de Bello Standardi, p. 341.

Different in their dress, superior in their arms and warlike accoutrements, and more civilised in their manners, were the races of Gothic extraction whom we find composing a great part of the army of David the First in the battle above alluded to, and which we can discern, from the time of Malcolm Canmore, gradually gaining upon and pressing back the Celtic population of Scotland. In the beginning of the eleventh century, Eadulph-ludel, a Saxon earl, surrendered to Malcolm the Second all his right to the territory or province of Northumberland. Previous to this, the extensive district then denominated Cumberland, including the modern shires of Cumberland, Westmoreland, and part of Lancaster, had been acquired by the Scottish princes as feudatories of England; and the marriage of David, earl of Cumberland, afterwards David the First, to the daughter of Earl Waltheof, procured as an appanage to the Scottish crown a part of the ancient kingdom of Northumberland, then known by the name of the earldom of Northumberland. All that fertile and extended tract of country which was formed by the union of these successive acquisitions, and which comprehended the greater portion of the south of Scotland, was peopled by the Saxons and the Normans, whose dress and arms, at the period of which we now speak, assimilated much to each other, the superiority in the richness of the stuffs and in the temper of the armour and the weapons of offence being on the side of the Normans.

The sword of the Scoto-Saxons was, in all probability, exactly similar to that of the Anglo-Saxons,—a long straight weapon, double-edged, and fitted both to cut and thrust. A late able English antiquary, in his deductions and delineations from ancient illuminated manuscripts, has thrown much light upon the subject; and, following his authentic descriptions, we find that the shield was of a middle size, always convex, formed of wood covered with leather, and commonly armed in the centre with a strong

sharp-pointed cone of iron.[1] At an early period the Saxons do not appear to have used armour for the body, but to have gone into battle with a short upper coat of leather, which was girded round the loins, and beneath which are seen the folds of the under tunic worn close to the skin, and reaching to within a little of the knee.[2] In persons of rank, the tunic and the coat were ornamented with rich borders round the edges; and the legs clothed in hose composed of twisted rolls of woollen, reaching to the middle calf; while the feet were shod with buskins. Besides the shield and the sword, they carried a long spear with a sharp steel point, sometimes armed with a barb, and the battle-axe; but we do not find either the cross-bow or the long-bow originally employed by them. These last weapons were brought in by the Normans, who used them with fatal and murderous effect, and from whom the Saxon soldiers borrowed them in the course of years. The head of the common soldier was protected by a species of conical cap, not unlike the Kilmarnock nightcap, which appears to have been made of the skin of some animal, with the hair turned outwards. This headpiece, however, in persons of rank, was formed of steel or brass, and frequently ornamented with a broad gilded border, or even set with precious stones; whilst, in the dress of kings and princes, it gave place to a crown itself, or to a small circlet of gold. The sword-hilts and scabbard, the shields and head-gear of the kings and nobles, were often richly ornamented, studded with precious stones, or inlaid with gold; they animated their troops with the sound of a long horn or trumpet; whilst there were carried before them into battle rich banners, upon which the figure of a white horse, of a raven, or a fighting warrior, were curiously wrought in gold, and not unfrequently decorated with jewels. In the battle of the Standard, the royal Scottish banner was embroidered with the figure of a dragon, around which rallying point, when the day was going against them, the flower of the Scottish army crowded in defence of their sovereign.

The era, however, of the arrival of the Normans in England, and of the subsequent gradual progress of this remarkable people from England into Scotland, till they fixed their names and customs even in the remote provinces of the north, is the era also of a perceptible change in the dress, arms, and warlike inventions of the Scoto-Saxons. The shirt of mail was probably known to the Saxons in its first rude state: it was composed of small pieces of iron sewed in rows upon a leathern jacket, overlapping each other like the scales of a fish, and seems to have been early introduced. An experiment was next made to form something like the same piece of body armour, by twisting or interweaving strong wires with each other, so as to create a species of iron wicker, which must have proved stiff and disagreeable to the free motion of the body. Probably, for this reason, it was not attempted to be carried lower down than the bottom of the stomach, and a short way below the shoulder, so as to leave the arms and limbs full room for action. In time, however, these rude beginnings were superseded by more correct and skilful imitations of the armour of the Normans; and as hitherto the chief force of the Scottish army had consisted in infantry, it is curious to trace the gradual departure from this system as early as the reign of David the First, and the few feeble efforts which were then made to imitate the Normans, whose chief force consisted in cavalry. As early, for instance, as in the battle of the Standard, the Scottish horsemen make their appearance, although bearing no proportion to the infantry; and it is singular that on both sides the leaders made the cavalry dismount and fight on foot. Yet, under the reign of Alexander the Second, when that monarch invaded England, we have already seen the encomium pronounced by Mathew Paris upon his cavalry, which,

[1] Meyrick's Ancient Armour, Introduction, vol. i. p. 62.
[2] Ibid. p. 62.

although mounted on neither Spanish nor Italian horses, made a splendid and martial appearance; and in the battle of Largs, in the subsequent reign, the destruction of the Norwegians who had landed was completed by a Scottish army in which there was a body of fifteen hundred horsemen, the knights and leaders of which were mounted on Spanish horses, armed, both horse and man, from head to heel, in complete mail, and the rest on the small active horses, whose chests were protected by a steel breastplate. Besides this select body of cavalry, we find that the foot soldiers were well accoutred, and, in addition to the long spear of the Saxons, they now carried the Norman bow.[1]

The principal arms of the Normans are well described in an ordinance, or assize of arms, of Henry the Second, preserved by Hoveden, in which it is declared that every man possessed of goods and chattels to the value of one hundred pounds is to provide, for the king's service, a horse and a soldier completely armed in mail; whilst every man possessed of any sum, from forty to twenty-five pounds, was to have for his own use an *albergellum*, or haubergeon, an iron helmet, a lance and a sword. This refers to the Norman dominions of the king. In England, the same monarch commanded every man who held a knight's fee to furnish a soldier completely armed in a coat of mail and a helmet, with a lance and a shield; every freeman who possessed goods and chattels to the value of sixteen marks was to have a coat of mail, a helmet, a shield, and a lance; every freeman possessed of the value of ten marks, to have a haubergeon, an iron cap, and a lance; and lastly, every burgess and freeman whatsoever, to furnish himself with a *wambais*, an iron cap, and a lance, which, on pain of severe penalties, he was not to sell or pawn.[2] In the reign, therefore, of Henry the Second, and in the year 1181, which is the date of this assize, the principal armour for the body was of three kinds: the lorica or entire coat of mail, the albergellum or haubergeon, and the wambais; the first worn by the richest knights; the next by the higher order of yeomanry, or gentry; and the last by the burgesses and freemen in general.

It is not difficult to ascertain more minutely the construction of these different kinds of body armour, which it is certain were used promiscuously both in Scotland and in England. The lorica, or coat of mail, is to be seen distinctly on the seals of the First and Second Henry. It appears to have been formed by rings of steel or iron, sewed or fixed closely together, upon a leathern coat, reaching from the neck, which it covers, to the knee, not unlike our modern surtout. In other instances, however, the neck and head were protected by a separate piece, called the chaperon, or hood of mail, which could either be drawn over the head in time of action, or after battle thrown loosely on the shoulder, so as to give the warrior air and refreshment. Over the chaperon the helmet was placed;[3] and of this graceful costume some beautiful examples are to be seen in the recumbent monuments of the knights which we frequently meet with in the English churches, and more rarely in Scotland. The sleeves of the coat, as seen in the seals of these two Henrys, cover the whole arm down to the wrist, leaving the hands bare and unprotected; but an elongation of the coat of mail was soon after introduced, so as to form a mailed glove, which completely protected the hands; and yet from its pliancy, being formed of the same rings of steel, quilted on a simple leather glove, left them free room for action. Over this mail coat, which, under Richard the First,[4] was so formed as to cover the whole body from head to heel, it became the fashion, during

[1] Norse Account of the Expedition, pp. 93, 94, 95.

[2] Hoveden, p. 614. Rerum Angl. Script. a Saville.

[3] See Strutt's Dress and Habits of the People of England, vol. i. plates 43 and 45. The seals of Henry the First and Henry the Second will be found beautifully engraved in the new edition of the Fœdera, vol. i. pp. 6, 19.

[4] See the seal of this monarch, Fœdera, new edition, vol. i. p. 48.

the reign of the Third Henry, for the knights to wear a surcoat, formed of cloth or linen, which at first appears to have been a mark of distinction, and which, latterly, during the fourteenth century, was ornamented with the arms of the wearer, richly embroidered. Surcoats in England, although found at an earlier period abroad, were not worn before the reign of Henry the Second; did not become general till the time of John; and bore no armorial bearings till the period of Henry the Third.[1]

The albergellum, or haubergeon, in its early form, afforded less protection to the whole person than the coat of mail, and was a less costly article of body-armour. It appears to be exactly the same piece of armour with the halsberga of Ducange, and was originally intended, as we learn from its component words, hals-berg, for the protection of the neck alone; but it probably soon came to cover the breast and the shoulder. It was formed of the same ringed mail, quilted on leather,[2] and is particularly mentioned in the assize of arms passed by Robert Bruce. The wambais was nothing more than a soldier's coat-of-fence, made of leather, or cloth, quilted with cotton, which, although it afforded a security inferior, in a great degree, both to the mail-coat and the haubergeon, gave considerable protection against a spear-thrust or sword-cut.[3] It is well known that while the great force of the Saxons consisted in infantry, the Normans fought on horseback; and that, from a little after the time of William the Conqueror, the power of the Norman cavalry became so formidable as to be celebrated and dreaded throughout Europe. The horses were armed in steel, as well as the men; and both being thus impenetrably protected, the long spears of their enemies, (to use an expression of Hoveden,) "might have as well struck against a wall of iron."[4] Under the Conqueror himself, indeed, and judging from the costume in which he is seen upon his seal, this horse-mail does not appear to have been used at all; and the same observation is applicable to the seal of Henry the First, and to those of Richard Cœur de Lion, John, Henry the Third, and Edward the First. Upon the seal of Henry the Second, however, we find his horse armed with the chamfreyn, or steel frontlet; and the disappearance of it upon the seals of the monarchs who succeeded him was evidently a caprice of taste, either in the artist or the sovereign; for we know for certain that the steel-clad steeds, or *Equi Cooperti*, formed the principal force in the battle of the Standard, fought in the reign of Stephen, against David the First; and we have already seen, that the Scottish cavalry, at the battle of Largs, was composed partly of Spanish steeds in complete armour, and partly of horses with breastplates; a convincing proof how completely the Norman habits and arms had been adopted in Scotland under Alexander the Third.[5]

The offensive weapons of the Norman knights and higher soldiers consisted of the sword, which was in no respect different from the Saxon sword, and the lance, with a streamer or pennon; whilst the arms of the lower classes of the infantry, not including the archers, were the club and mace, denominated, in the Norman-French of Wace, "pilx et macheues."[6] The arms of a higher baron, or count, in the time of the Conqueror, are accurately pointed out in an ordinance of this prince, which directs "that every count shall be bound to bring to the

[1] Meyrick's Ancient Armour, vol. i. p. 21.

[2] So, in an old German anonymous poem quoted in Ducange, voce Halsberga.

"Geh und bring mir doch here,
Mein halsperg und mein schwerd."

And in the Will of Duke Everard, in Miræus, chap. xxi., "Et helmum cum halsberga."

[3] Meyrick's Ancient Armour, vol. i. p. 67.

[4] Hoveden, p. 277. Strutt's Manners of the People of England, vol. i. p. 99.

[5] Norse Account of Haco's Expedition, p. 95.

[6] Wace, in describing the Duke of Normandy's summons to the "vilains:"—

"Par la contrée fit mander
Et a vilains dire et crier,
Que a tiex armes, com il ont
Viengnent a lui ains quil porront,
Lors voissiez haster vilains,
Pilx et macheues en lor mains."

assistance of the king eight horses saddled and bridled, four hauberks, four helmets, four lances, and four swords."[1] These were termed by the Normans free arms, libera arma, as being those peculiarly appropriated to men of high and noble rank; but in the course of time the short dagger, the gis arma, or bill, the cross-bow, and battle-axe were introduced amongst the Norman weapons of offence, and borrowed by the Scoto-Normans from their countrymen.[2]

The attention which has been paid to render this description of the Saxon and Norman armour clear and authentic will not be deemed superfluous when it is understood that the Scottish armour used during this period appears, with a few alterations, borrowed in all probability from the Norwegians, to have been the same as that worn by the Saxons and Normans. The battle-axe, the mace of iron, and the short dagger were adopted by the knights, and, along with the other arms of the lower ranks, borrowed by the Scoto-Normans from their countrymen, and introduced into Scotland. Thus, on the seal of Alexander the First of Scotland, who succeeded Malcolm Canmore, and whose sister Matilda married Henry the First of England, we find the scaled mail-coat composed of mascles, or lozenged pieces of steel, sewed upon a tunic of leather, and reaching only to the mid thigh; the hood is of one piece with the tunic, and covers the head, which is protected with a conical steel cap, and a nasal; the sleeves are loose, so as to shew the linen tunic worn next the skin, and again appearing in graceful folds above the knee; the lower leg and foot are protected by a short boot, armed with a spur; the king holds in his right hand a spear, to which a pennoncelle, or small flag, is attached, exactly similar to that worn by Henry the First; the saddle is peaked before and behind, and the horse on which he rides is ornamented by a rich fringe round the chest, but altogether unarmed.[3]

Another curious specimen of the Scottish armour of the twelfth century is to be seen on the seal of David, earl of Huntingdon, brother of William the Lion. It is of the species called by the contemporary Norman writers the "trelissed," and consists of a cloth coat or vest, reaching only to the haunches, and with sleeves extending to the wrist. This is intersected by broad straps of leather, laid on so as to cross each other, but to leave intervening squares of the cloth, in the middle of which is a round knob or stud of steel. The chaperon or hood is of quilted cloth, and the under tunic, of linen, covers the knee, and hangs in folds over the saddle, which is highly peaked in the shape of a swan's neck. His shield is rounded at the top, and he holds a long spear, ornamented by a gonfanon, on which a rose is embroidered. His helmet is the conical one, plain, and worn over the hood, and the horse has neither armour nor trappings.[4] It was this David, earl of Huntingdon, who, having embarked for the Holy Land with Richard Cœur de Lion, is said to have been shipwrecked on the coast of Egypt, and sold as a slave to a Venetian merchant. His master brought him to Constantinople, where he was fortunately recognised by some English merchants, redeemed, and sent home.[5]

[1] "De relief al cunté, que al rei afeist. viii chivalz, selez et enfrenez, les iiii halbers, et iiii hammes, et iiii escuz, et iiii lances, et iiii espes."—Leg. Gulielm. I. chap. xxvi.

[2] Strutt's Manners and Customs of the People of England, vol. i. p. 98. So Wace, speaking of the Norman infantry,—

"Et vous avez lances aquis,
Et quis armes bien emollues."

[3] Seal in the Diplomata Scotiæ, plate viii., and the plate in Dr Meyrick's History, p. 29, plate x.

[4] Meyrick, vol. i. p. 11. Anderson's Diplomata, plate x.

[5] Chron. Melross, p. 179. Hailes, vol. ii. p. 341. Dr Meyrick has accidentally mistaken this David, earl of Huntingdon, from whose daughter Robert Bruce was descended, for his grandfather, David the First; but the error is a trifling one. Mills, in his amusing but superficial work, the History of Chivalry, affects to despise the critical inquiry of Dr Meyrick. That there may be some few errors in an inquiry embracing so wide a range none will deny; but in point of research and historical interest it is worthy of much praise. It is to be regretted that the valuable matter of the text should be shut up from most

The shield which was used in Scotland at this period was the kite-shaped shield of the Normans; and, although plain and unornamented at first, we find that in the beginning of the thirteenth century, under Alexander the Second, the lion rampant of Scotland appears upon it for the first time. On the shield of Prince Henry, grandfather of William the Lion, who died about sixty years before the accession of that prince to the throne, there is no appearance of any heraldic blazoning, and the practice, which was first introduced by Richard Cœur de Lion into England, appears to have been adopted during this interval by our Scottish monarchs.[1] The strict friendship and constant intercourse which was maintained between William the Lion and Richard the First, and the attention which was paid by the latter monarch in Europe and in Palestine to everything connected with the improvement of the military art, must have produced a correspondent enthusiasm in our own country; and these improvements would speedily be brought into Scotland by David, earl of Huntingdon, and his companions, the brother crusaders of Richard. This observation is accordingly confirmed by the fact just noticed, that Richard first bore the three lions on his shield, and that the same practice, formerly unknown, was adopted not long after in our own country.

Another change appears in the helmet of Alexander the Second, which confirms this remark. The aventayle or visor, and the cylindrical shape, are seen in its construction for the first time, and these we know were brought in by Richard the First, although under a slightly different form as used by the lion-hearted king. This Alexander succeeded his father, William the Lion, in the beginning of the thirteenth century. He appears clothed in a complete coat of mascled mail, protected by plates at the elbows. The surcoat also, first worn in England by John, is thrown over his armour—another proof of the progress of military fashions from England into this country; and his shield is hollowed so as to fit the body, and completely defend it. His horse, without any defensive armour, is ornamented with a fringed and tasselled border across the chest, and an embroidered saddle-cloth, on which the lion rampant again appears.[2]

Under the succeeding reigns of Alexander the Third, Baliol, Bruce, and his son David the Second, the military costume, the fashion, shape, and ornaments of the arms, and the science of war, appear to have been almost exactly the same in both countries. Alexander the Third wears the cylindrical helmet, with the perforated aventayle; there is a superior richness and splendour in the ornaments of his armour, and the horse is covered from head to foot with flowing housings, on which the lion rampant is richly embroidered, with a bordure set with fleurs-de-lis. A plume of feathers surmounts the helmet, and the same ornament is seen on the head of his horse.[3] Little difference is discernible in the military costume of Robert Bruce, except that his steel casque is surmounted by a royal crown, which we have seen him wearing at the battle of Bannockburn.

As the arms and military costumes of both countries appear to have been exactly similar, so we may with equal truth apply the same remark to the science of war itself. The superior genius of Bruce soon indeed perceived that to cope with the English in cavalry was impossible, and he accordingly directed his principal attention to perfecting the arms and the discipline of his infantry,—a system taught him by the example of Wallace; but this was chiefly occasioned by the poor and exhausted state of the

readers by the costly price which the plates render indispensable.

[1] Anderson's Diplomata Scotiæ, plate xx. Meyrick's Ancient Armour, vol. i. p. 101.

[2] Seal in Anderson, plate xxxi. Meyrick's Armour, vol. i. p. 101.

[3] Anderson's Diplomata, plate xxxvi. See Chamberlains' Accounts, Temp. Alex. III. p. 35, "In reparacione loricæ dni regis 18 sh." &c. Ibid. p. 38, "In mundacione armorum dni regis 13 sh. et 8 d." Ibid. p. 45, "Item in 14 targis bene munitis scitarga pro 5 sh. 70 sh. In emendacione 3000 querellis 5 sh."

country. Previous to the long war of liberty, which drained away its wealth, and arrested it in its career of improvement, the cavalry of Scotland, as we have seen in our former allusions to the battle of the Standard and the battle of Largs, held a principal place in the composition of the army. The disastrous defeat which David experienced in the first of these actions was in all probability occasioned by his being compelled to place the ferocious and half-armed Galwegians in the first line; and, even after their undisciplined conduct had introduced disorder and flight, the day was nearly restored by a successful charge of the Prince of Scotland, at the head of his men-at-arms, who, to use the expressive phrase of Ethelred, "scattered the English army like a cobweb." In the battle of Largs, the appearance of the Scottish knights on Spanish horses, then considered of high value, and which were clothed in mail, evinces that, under Alexander the Third, the cavalry of Scotland was equal in equipment to the sister country. We learn, from the Chamberlains' Rolls of the same monarch, that, in the preparations which were made for defence and security in the different castles, about the time of the expected invasion of the King of Norway, the warlike engine called the balista was in use; and that there was an officer in the castle of Aberdeen called Balistarius, who was allowed twenty shillings for the purchase of staves, and other necessaries which belonged to his office.[1] At an earlier period still, when David the First, and his son, Prince Henry, invaded England in 1138, they attacked the castle of Werk with balistæ, and other warlike engines;[2] and we have every reason to believe that the science of war, and the attack and defence of fortified places, must have been the same, with very slight variations, in both countries. It is evident, from the history of the Bruce and Baliol wars, and the most remarkable sieges which took place during their continuance, that, in whatever terms of wonder these warlike machines for the battering of the walls are described by the contemporary historians, they were truly very clumsy and inefficient inventions; and that a strong-built castle, if well victualled and tolerably garrisoned, could defy for many months the whole efforts of a numerous army, with its balistæ, mangonels, tribuchets, sows, and rams playing upon it without intermission.

During the reigns of Edward the Second and Third in England, and the corresponding period occupied by the latter years of the reign of Robert Bruce, and the whole of that of David the Second in Scotland, the plate-armour began gradually to supersede the mailed coat; and various improvements and new inventions, both in the strength and in the ornamental parts of the equipment of knights and soldiers, were introduced, which, from the constant intercourse between the two countries, were adopted simultaneously in both. In 1367, a duel was fought between Thomas Erskine, a Scottish knight, and James Douglas of Egmont, on some quarrel not now discoverable. Both champions obtained permission from Edward the Third to purchase their arms and body-armour, on this occasion, in London; and the royal letters inform us of what pieces they consisted. A breastplate and back-piece, a helmet, a habergeon, arm-plates, thigh-pieces, greaves for the legs, and iron gauntlets, formed the body-armour. The weapons were, a dagger or short sword, a long sword, and a knife; and one of the knights requests to have body-armour for two horses, whilst his antagonist contents himself with a chamfreyn or iron frontlet for one.[3]

[1] Chamberlains' Rolls, Temp. Alex. III. p. 19, "Item, Willelmo ballistario ad emendum baculos, et alia que pertinent ad officium suum 20 sh." Ibid. p. 9, "Item, Balistario de illo anno 2 marcas et dimidiam." Ibid. p. 10, "Idem comes petit sibi allocari costumas de xix^xx petris ferri et fabricam de mille septingentis et septuaginta querellis et fabricam de ix^xx ferri;" and again, p. 47, "Item quod die hujus computi remanserunt in custodia ipsius, H. 12 lorice, 2 honbergell, unam par calligarum ferrearum, 14 targyss, et 12 bipennes."

[2] Rich. Prioris Hagulstad. p. 315.

[3] Rotuli Scotiæ, vol. i. pp. 916, 917.

In the use of the bow, the English continued invariably to be superior to the Scots, and their bodies of mounted archers, and of cross-bowmen, who were not unfrequently armed in mail, often made cruel havoc amongst the Scottish spearmen. It is a singular circumstance, that although the importance of the long-bow could not fail to have suggested itself to such masters in war as Wallace and Bruce, and Randolph and Douglas, there does not appear to have been any very successful efforts made to introduce it as a national weapon. In remote times, indeed, we find the Scottish archers bearing a part in the battle of the Standard;[1] but, at the subsequent battles of Dunbar, Stirling, and Falkirk, they do not appear. In the memorable defeat, indeed, which Bruce gave to the Lord of Lorn, in the pass of Cruachan-Ben, Sir James Douglas appears at the head of a body of archers lightly armed,[2] but they are not to be found in the muster of the army at Bannockburn; and although Bruce, in an ordinance of arms passed in 1319, commands every man possessed of the value of a cow to arm himself, either with a bow and a sheaf of arrows, or with a spear, the last weapon was evidently preferred by the Scottish yeomanry. Neither in the future expeditions during the reign of this monarch, nor in the disastrous battles of Dupplin, Halidon, and Durham, do we meet with a body of Scottish archers.[3] With regard to the first of these battles at Halidon, there is to be found, in the British Museum, amongst the Harleian Manuscripts, a minute and curious account of the numbers, the arms, and the arrangement of the Scottish army, with the names of all the leaders;[4] which proves that the Scottish army consisted of knights, and of heavy-armed and light-armed infantry, without either archers or cross-bowmen. The same remark may be made with regard to the array at the battle of Durham; the knights armed cap-à-pé, with the homines armati, or heavy-armed infantry, formed the strength of the army; and besides these there was a large body of half-armed foot.[5] The ordinance of arms which was passed by Robert Bruce in 1319 acquaints us, in sufficiently minute terms, with the arms then used by the Scottish soldiers. An acton and a steel helmet, gloves of plate, and a sword and spear, were to be provided by every gentleman who had ten pounds value in land, or ten pounds of movable property. Those of inferior rank and fortune were bound to fit themselves with an iron jack, an iron head-piece, and gloves of plate; and the lowest class of all with a spear, or with a bow and a sheaf of arrows.[6]

The civil dress of those remote times, as it is seen in the illuminations of manuscripts, and in the reverses of the seals of our early monarchs, appears to have been rich and graceful. A robe of purple velvet or scarlet cloth, lined and hooded with ermine, with a border of gold embroidery, and flowers of gold scattered over it; an under tunic of silk, or other precious stuff, made sometimes close to the figure, and at other times hanging in loose folds almost to the heel; hose and breeches in one piece, and laced sandals, formed the common state dress of the kings, princes, and nobles, their more ordinary habits being nearly the same in shape, but of less costly materials.[7]

1 Ethelredus de Bello Standardi, p. 342. "Alteram aciem filius regis, et milites Sagittariique cum eo, adjunctis sibi Cumbrensibus et Tevidalensibus, cum magna sagacitate constituit."

2 Barbour, pp. 190, 191.

3 At the siege of Perth, however, under the regency of Moray, Fordun mentions that Alan Boyd and John Stirling, "duo valentes armigeri, *rectores archi tenentium*," were slain.

4 This interesting fragment is printed in the Illustrations, letters FF.

5 Fordun a Goodal, vol. ii. p. 342.

6 History, supra, p. 136. See Illustrations, letters RR.

7 Strutt's Dress and Habits of the People of England, vol. ii. plates lxxxiii. and lxxxv. Chamberlains' Accounts, Temp. Alex. III. p. 13, "Augustino cissori per perceptum dni regis ad emendum panum et furur, ad opus dni regis vi. marcas et dimidium." See Ibid. p. 17, "In empcionibus tam in panao serico et aliis, quam in peletria speciebus electuariis, et aliis minutis empcionibus, 10 lib. 8 sh. 1 d." Ibid. p. 43, "Item in duobus paribus ocrearum ad opus dni regis 12 sh."

During the thirteenth century, a fantastic fashion prevailed of clothing one-half of the figure in one colour, and the other half in another; and, where this was not done, of having one stocking red or blue, and the other green or yellow; so that the man had the appearance of having stept into one-half of his neighbour's breeches or hose. But this absurd practice did not long continue, and appears to have been at last abandoned to the exclusive use of fools and jesters.

The costume of the ladies at the same period was elegant, but so various, that it is difficult, in any written description, to give an idea either of its beauty, or of the complicated grouping of its parts. The upper part of the dress consisted of a jacket of rich broad cloth or velvet, with sleeves reaching to the wrist, and terminating in a border of gold embroidery, which was made to fit close to the bosom and the waist, so as to shew the beautiful outline of the female figure. It was fastened down the middle with a row of buttons of silver, gold, or precious stones, on each side of which was a broad border of ermine or miniver, and it reached considerably below the waist. Below this jacket appeared, in ample folds, an under robe or tunic of a different colour, and under all, a slip or petticoat of silk or linen. The tucker was high and modest, and made so as to leave only the neck and throat bare. The head-dress consisted either of the wimple, of the turban, or of a small circlet of gold, or garland of artificial flowers, from beneath which the hair sometimes flowed down the back, and sometimes was gracefully plaited or braided in forms of great variety. Over the whole dress, it was not uncommon, on days of state or ceremony, to wear a long cloak of velvet or other precious stuff, which was clasped across the bosom, and lined with ermine, martins, or gold lace. The golden girdle, too, worn round the waist, and sometimes set with precious stones, must not be forgotten. The splendour of the civil dresses of this period, both in England and in Scotland, is alluded to in terms of reprobation by Mathew Paris in his account of the marriage of Alexander the Third at York; and as the monastic historian was himself present, his account is the more curious and authentic.[1] It proves satisfactorily that the dresses of the higher ranks in England, Scotland, and France were the same. A passage, therefore, which we find quoted by Strutt, from an ancient MS. history of France, written in the fourteenth century, may be quoted as throwing light upon the costly variety of the dress of this period. It alludes to a sumptuous entertainment given at Paris in 1275, on the coronation of Mary. "The barons and the knights were habited in vestments of different colours: sometimes they appeared in green, sometimes in blue, then again in gray, and afterwards in scarlet, varying the colours according to their fancies. Their breasts were adorned with fibulæ or brooches of gold, and their shoulders with precious stones of great magnitude, such as emeralds, sapphires, jacinths, pearls, rubies, and other rich ornaments. The ladies who attended had rings of gold, set with topaz stones and diamonds, upon their fingers; their heads were ornamented with elegant crests or garlands; and their wimples were composed of the richest stuffs, embroidered with gold, and embellished with pearls and other jewels."

In the ancient French poem, the Romance of the Rose, which was completed by John de Meun in 1304, the poet has introduced the story of Pigmalion, and he represents the enamoured sculptor clothing his marble mistress in every variety of female finery. "He arrayed her," says he, "in many guises: in robes made with great skill of the finest silk and woollen cloths, green, azure, and brunette, ornamented with the richest skins of ermines, minivers, and grays: these being taken off, other robes were tried upon her of silk, cendal, maliquins, mallbruns, damasked satin, camlet,

[1] Math. Paris a Wats., pp. 715, 716.

and all of divers colours. Thus decorated, she resembled a little angel, her countenance was so modest. Then again he put a wimple upon her head, and over that a coverchief, which concealed the wimple, but hid not her face. All these garments were then laid aside for gowns, yellow, red, green, and blue, and her hair was handsomely disposed in small braids, with threads of silk and gold, adorned with little pearls, upon which was placed, with great precision, a crestine, and over the crestine a crown or circle of gold, enriched with precious stones of various sizes. Her little ears, for such they are said to have been, were decorated with two beautiful pendant rings of gold, and her necklace was confined to her neck by two clasps of gold. Her girdle was exceedingly rich, and to it was attached an aulmoniere, or small purse of great value."[1] This amusing and curious passage gives us some idea of the richness and intricacy of the female dress of the times: and we may conceive how striking and picturesque the spectacle must have been to have seen an ancient Gothic hall, on some night of solemnity and rejoicing, filled with fair forms in such splendid apparel, and crowded with barons, knights, squires, and pages, in their velvet robes and jewelled girdles, while the music of the minstrels echoed through the vaulted roof, and the torches threw their gleams upon its fretted arches, bringing out in clear relief their fantastic but often beautiful decorations.

There remain a few gleanings of information upon the state of some of the ornamental and useful arts in Scotland, too scanty to be included under any separate division, and which yet appear of importance, when we are collecting every scattered light which may serve to illustrate the manners and civil history of the country. At an early period, for instance, we can just trace an interesting attempt of David the First to soften the manners of his people, by introducing a taste for gardening. He spent some portion of his time, as we learn from his friend and contemporary, in his orchard in planting young trees, or in the more difficult operation of grafting; and it was his anxious desire to encourage the same occupations amongst his subjects. The gardener appears constantly in the Chamberlains' Accounts of the royal household, as an established servant, attached to the different palaces and manors. Alexander the Third had his gardeners at Forfar and Menmoreth.[2] We meet with the royal garden at Edinburgh as early as 1288; and the Cartularies contain ample evidence that the higher nobles and dignified clergy, and even the lesser knights and barons, considered their gardens and orchards as indispensable accompaniments to their feudal state.[3]

It must be evident to any one who has perused this Inquiry, that besides this elegant branch of rural economy, many of the other useful and ornamental arts must have arrived, during this period, at a state of considerable perfection in Scotland. The pitch of excellence, for instance, to which the architecture of the country had attained, necessarily includes a correspondent excellence in the masons, the carpenters, the smiths, the plumbers, the plasterers, the painters, and the glaziers, of those remote times. The art of working skilfully in steel and iron must have been well known, and successfully practised, by a people and a nobility armed and accoutred for war, in the fashion we have just described; and the mysteries of embroidery and needlework, with the professions of the clothier, silk-merchant, milliner, and tailor, could not fail to thrive and become conspicuous

[1] I have employed the translation, or rather the abstract of this passage given by Mr Strutt in his excellent work on the Habits and Dresses of the People of England, from a manuscript in the British Museum. Strutt's Habits and Dresses, vol. ii. pp. 235, 236. He has in some places used a little liberty with the original, which will be found in the Illustrations, letters SS.

[2] Chamberlains' Accounts, Temp. Alex. III. p. 13. "Item gardinario de Forfar, de illo i n 10 v. marc. Item gardinario de Menmoreth de illo anno i. marc." See also pp. 59, 112.

[3] Robertson's Index, p. 86.

in so splendid a court, and amid such a display of dames and knights as we have seen thronging the royal residences during the course of the thirteenth and fourteenth centuries. The jeweller, too, the goldsmith, and the enameller, must have been lucrative professions, where the girdles, earrings, brooches, tiaras, and jackets of velvet, powdered with pearls, were conspicuous articles in female dress; and where the palls, copes, rocquets, crosiers, censers, and church plate, were still more sumptuous. There is, accordingly, decided evidence in the Chamberlains' Accounts, that the art of working in the precious metals had attained to considerable perfection, although in the extent of their gold and silver plate, the kings and nobles of Scotland appear to have been far inferior to the splendour and extravagance of their English neighbours. It must be remembered, also, that the most splendid specimens of the armour, jewellery, and gold and silver work, which are met with in the wardrobe books of the times, or which we read of in the descriptions of contemporary historians, were of Italian, Flemish, or Oriental workmanship, imported from abroad by the Scottish merchants.

In the sketch of the learning of those remote times, I have said nothing of the state of the healing arts, during a period when it may be thought, from the frequency of war and bloodshed, their ministration was much called for. But, unfortunately, upon this subject no authentic data remain, upon which an opinion may be formed; yet it has been already seen that our kings had their apothecaries and physicians. As to the actual skill, the prescriptions, and operations of such persons, we are quite in the dark; but, if we may form our opinion from the low and degraded condition of medicine in England at the same period, the patient who fell into the hands of these feudal practitioners must have rather been an object of pity than of hope; and it is probable, that a sick or wounded knight had a better chance for recovery from the treatment of the gentle dames or aged crones in the castles, whose knowledge of simples was often great, than from the ministrations inflicted upon him by the accredited leeches of the times.

CHAPTER VII.

ROBERT THE SECOND.

1370—1390.

DAVID THE SECOND, the only son of Robert the First, dying without children, the succession to the throne opened to Robert the High Steward of Scotland, in consequence of a solemn act of the Parliament, which had passed during the reign of his grandfather, Robert the First, in the year 1318.[1] The High Steward was the only child of the Lady Marjory Bruce, the eldest daughter of Robert the First, and of Walter the High Steward of Scotland; and his talents in discharging the difficult duties of regent, had already shewn him to be worthy of the crown, to which his title was unquestionable. Previous, however, to his coronation, opposition arose from an unexpected quarter. William, earl of Douglas, one of the most powerful of the Scottish nobles, being at Linlithgow at the time of the king's

[1] Fordun a Goodal, vol. ii. p. 290.

death, publicly proclaimed his intention of questioning the title of the Steward to the throne; but the motives which induced him to adopt so precipitate a resolution are exceedingly obscure. It is certain that Douglas could not himself lay claim to the throne upon any title preferable to that of Robert; but that the common story of his uniting in his person the claims of Comyn and of Baliol is entirely erroneous, seems not so apparent.[1] Some affront, real or imaginary, by which offence was given to the pride of this potent baron, was probably the cause of this hasty resolution, which, in whatever feeling it originated, was abandoned as precipitately as it was adopted. Sir Robert Erskine, who, in the former reign, had risen into great power, and then commanded the castles of Edinburgh, Stirling, and Dumbarton, instantly advanced to Linlithgow at the head of a large force. He was there joined by the Earls of March and Moray; and a conference having taken place with Douglas, he deemed it prudent to declare himself satisfied with their arguments, and ready to acknowledge a title which he discovered he had not strength to dispute.[2] It was judged expedient, however, to conciliate so warlike and influential a person as Douglas, and to secure his services for the support of the new government. For this purpose the king's daughter, Isabella, was promised in marriage to his eldest son, upon whom an annual pension was settled; and the earl himself was promoted to the high offices of King's Justiciar on the south of the Forth, and Warden of the East Marches.[3] To the rest of the barons and nobles who supported him, the High Steward was equally generous. The promptitude of Sir Robert Erskine was rewarded by the gift of three hundred and thirty-three pounds, an immense present for that time; whilst the services of March and Moray, and of Sir Thomas Erskine, were proportionably acknowledged and requited.[4]

This threatened storm having passed, the High Steward, accompanied by a splendid concourse of his nobility, proceeded to the Abbey of Scone, and was there crowned and anointed king, on the 26th of March 1371, by the Bishop of St Andrews, under the title of Robert the Second.[5] To confer greater solemnity on this transaction, which gave a new race of monarchs to the throne, the act of settlement by Robert the First was publicly read; after which, the assembled prelates and nobles, rising in their places, separately took their oaths of homage. The king himself then stood up, and declaring that he judged it right to imitate the example of his illustrious grandfather, pronounced his eldest son, the Earl of Carrick and Steward of Scotland, to be heir to the crown, in the event of his own death. This nomination was immediately and unanimously ratified by consent of the clergy, nobility, and barons, who came forward and took the same oaths of homage to the Earl of Carrick, as their future king, which they had just offered to his father; and upon proclamation of the same being made before the assembled body of the people, who crowded into the Abbey to witness the coronation, the resolution of the king was received by con-

1 The story is to be found in Bower, the continuator of Fordun, vol. ii. p. 382; and in the MS. work, entitled, Extracta ex Chronicis Scotiæ, fol. 225. It was repeated by Buchanan, attempted to be proved to be erroneous by the learned Ruddiman, and again revived by Pinkerton, in his History of Scotland, vol. i. p. 10. 2 See Illustrations, letters TT.

2 Winton, vol. ii. pp. 304 and 514.

3 Chamberlain Accounts, vol. ii. p. 26. Ibid. pp. 9, 10.

4 Chamberlain Accounts, vol. ii. pp. 26, 27.

"Et in solucione facta Domino Willelmo Comiti de Douglas, circa contractum matrimoniale inter filium ipsius Comitis, et Isabellam filiam regis, ut patet per literas regis de predicto, et ipsius Comitis de rc. ons^{s}. super computum, V^{c}. li:

"Et in soluc: facto dno. Robto. de Erskine et de dono regis concess: sibi per literam ons. et cancellat. sr. compotum et ipsius Dni. Roberti de rc. ons. super computum III$_{c}$ xxxiii li. vi s. viii d."

5 Robertson's Records of the Parliament of Scotland, p. 119, sub anno 1371. It is there stated that all the barons and prelates took the oaths of homage, except the Bishop of Dumblane and Lord Archibald de Douglas, who only took the oath of fidelity. Yet this seems contradicted by the "Act of Settlement."

tinued shouts of loyalty, and the waving of thousands of hands, which ratified the sentence. An instrument, reciting these proceedings, was then drawn up, to which the principal nobles and clergy appended their seals, and which is still preserved amongst our national muniments: a venerable record, not seriously impaired by the attrition of four centuries and a half, and constituting the charter by which the house of Stewart long held their title to the crown.[1]

Robert the High Steward, who now succeeded to the throne, had reached his fifty-fifth year, a period of life when the approaches of age produce in most men a love of repose, and a desire to escape from the care and annoyance of public life. This effect was to be seen in the character of the king. The military and ambitious spirit, and the promptitude, resolution, and activity which we observe in the High Steward during his regency had softened down into a more pacific and quiet nature. He possessed strong good sense, and a judgment in state affairs matured by experience; but united to this was a love of indolence and retirement, little suited to the part which he had to act, as head of a fierce and lawless feudal nobility, and the guardian of the liberty of the country against the unremitting attacks of England. Yet, to balance this inactivity of mind, Robert enjoyed some advantages. He was surrounded by a family of sons grown to manhood. The Earl of Carrick, Robert, earl of Fife, afterwards Duke of Albany, and Alexander, lord of Badenoch, were born to him of his first marriage with Elizabeth More, daughter to Sir Adam More of Rowallan;[2] David, earl of Strathern, and Walter, lord of Brechin, blest his second alliance with Euphemia Ross, the widow of Randolph, earl of Moray; whilst seven daughters connected him by marriage with the noble families of the Earl of March, the Lord of the Isles, Hay of Errol, Lindsay of Glenesk, Lyon, and Douglas. To these legitimate supports of the throne must be added the strength which he derived from a phalanx of eight natural sons, also grown to man's estate, and who, undepressed by a stain then little regarded, held their place among the nobles of the land.[3] Although, after his accession to the throne, the king was little affected with the passion for military renown, and thus lost somewhat of his popularity amongst his subjects, he possessed other qualities which endeared him to the people. He was easy of access to the meanest suitor: affable and pleasant in his address; and while possessing a person of a commanding stature and dignity, his manners were yet so tempered by a graceful and unaffected humility, that what the royal name lost in pomp and terror, it gained in confidence and affection.[4]

In the political situation of the country at this period there were some difficulties of a formidable nature. A large portion of the ransom of David the Second, amounting to fifty-two thousand marks, was still unpaid;[5] and if the nation had been reduced to the brink of bankruptcy by its efforts to raise the sum already collected, the attempt to levy additional instalments, or to impose new taxes, could not be contemplated without alarm. The English were in possession of a large portion of Annandale, in which Edward continued to exercise all the rights of a feudal sovereign; they held, besides, the castles of Roxburgh and Lochmaben, with the town and castle of Berwick;[6] so that the seeds of war and commotion and the materials of national jealousy were not removed; and however anxious the English and Scottish wardens might shew themselves to preserve the truce, it was

[1] Robertson's Index to the Charters, Appendix, p. 11. "Clamore consono ac manu levata in signum fidei dationis." A facsimile of this deed has been engraved, and will be found in the first volume of the Acts of the Parliament of Scotland, sub anno 1371.

[2] Records of the Parliament of Scotland, p. 119, sub anno 1371.

[3] Duncan Stewart's History of the Royal Family of Scotland, pp. 56–58.

[4] Fordun a Goodal, vol. ii. p. 383.

[5] Records of the Parliament of Scotland, sub anno 1371, p. 120.

[6] Rotuli Scotiæ, vol. i. pp. 944, 947, 951, 958, 963. 963[1].

scarcely to be expected that the fierce borderers of both nations would be long controlled from breaking out into their accustomed disorders. In addition to these adverse circumstances, the kingdom, during the years immediately following the accession of Robert the Second, was visited by a grievous scarcity. The whole nobility of Scotland appear to have been supported by grain imported from England and Ireland; and a famine which fell so severely upon the higher classes must have been still more intensely experienced by the great body of the people.[1]

But Scotland, although as far as her political circumstances are considered undoubtedly not in a prosperous condition, enjoyed a kind of negative security from the weakness of England. Edward the Third was no longer the victorious monarch of Cressy and Poictiers. His celebrated son, the Black Prince, a few years before this, had concluded his idle though chivalrous expedition against Spain; and after having been deceived by the monarch whom his valour had restored to the throne, again returned to France, drowned in debt, and broken in constitution. Prince Lionel, whom Edward had hoped to make King of Scotland, was lately dead in Italy, and still severer calamities were behind. Charles the Fifth of France, a sovereign of much wisdom and prudence, had committed the conduct of the war against England to the Constable de Guesclin, a captain of the greatest skill and courage; and Edward, embarrassed at the same time with hostilities in Flanders and Spain, saw with deep mortification the fairest provinces, which were the fruits of his victories, either wrested from him by force of arms, or silently lost, from inactivity and neglect. In his attempts to defend those which remained, and to regain what was lost, the necessity of fitting out new armies called for immense sums of money, which, though at first willingly granted by parliament, weakened and impoverished the country; and the loss of his greatest captains, his own feeble health, and the mortal illness of the Black Prince, rendered these armies unavailable from the want of experienced generals.

From this picture of the mutual situation of the two countries it may be imagined that both were well aware of the benefits of remaining at peace. On the part of Scotland, accordingly, it was determined to respect the truce, which in 1369 had been prolonged for a period of fourteen years, and to fulfil the obligations as to the punctual payment of the ransom; whilst England continued to encourage the commercial and friendly intercourse which had subsisted under the former monarch.[2] Yet notwithstanding all this, two events soon occurred which must have convinced the most superficial observer that the calm was fallacious, and would be of short duration. The first of these was a new treaty of amity with France, the determined enemy of England, which was concluded by the Scottish ambassadors, Wardlaw, bishop of Glasgow, Sir Archibald Douglas, and Tynninghame, dean of Aberdeen, at the castle of Vincennes, on the 30th June 1371; in which, after an allusion to the ancient alliances between France and Scotland, it was stipulated that, in consideration of the frequent wrongs and injuries which had been sustained by both these realms from England, they should be mutually bound as faithful allies to assist each other against any aggression made by that country. After some provisions calculated to prevent any subjects of the allied kingdoms from serving in the English armies, it was declared that no truce was henceforth to be concluded, nor any treaty of peace agreed on, by either kingdom in which the other was not included; and that in the event of a competition at any time taking place for the crown, the King of France should maintain the right of that person who was approved by a majority

[1] Rotuli Scotiæ, vol. i. pp. 963, 965, 966, 967, 968. The evidence of the Rotuli Scotiæ contradicts the assertions of Bower, vol. ii. Fordun a Goodal, p. 383.

[2] Rotuli Scotiæ, vol. i. sub. annis 1372, 1373.

of the Scottish estates, and defend his title if attacked by England. Such was the treaty as it appears ratified by the Scottish king at Edinburgh on the 28th October 1371;[1] but at the same time certain secret articles were proposed, upon the part of France, of a still more decisive and hostile character. By these the French monarch engaged to persuade the Pope to annul the existing truce between England and Scotland; to pay and supply with arms a large body of Scottish knights; and to send to Scotland an auxiliary force of a thousand men-at-arms, to co-operate in a proposed invasion of England. These articles, however, which would again have plunged the kingdoms into all the horrors of war, do not appear to have been ratified by Robert.[2]

The other event to which I allude afforded an equally conclusive evidence of the concealed hostility of England. When Biggar, High Chamberlain of Scotland, repaired to Berwick to pay into the hands of the English commissioners a portion of the ransom which was still due, it was found that the English king, in his letters of discharge, had omitted to bestow his royal title on Robert. The chamberlain, and the Scottish lords who accompanied him, remonstrated in vain against this unexpected circumstance. They declared that they paid the ransom in the name and by the orders of their master the King of Scotland; and unless the discharge ran in the same style, it was null, and could not be received. Edward, however, continued obstinate: he replied that if David Bruce had been content to accept the discharge without the addition of the kingly title, there was no good reason why his successor should quarrel with it for this omission; and he drew up a deed declaring that the letter complained of was, in every respect, as full and unchallengeable as if Robert had been therein designed the King of Scotland.[3] With this the Scottish commissioners were obliged for the present to be satisfied; and having paid the sum under protest, they returned home, aware from what had passed, that however enfeebled by his continental disasters, Edward still clung to the idea that, in consequence of the resignation of Baliol, he himself possessed the title to the kingdom of Scotland, and might yet live to make it good.[4]

Notwithstanding these threatening appearances, the country continued for some years to enjoy the blessings of peace; and the interval was wisely occupied by the sovereign in providing for the security of the succession to the crown; in regulating the expenses of the royal household, by the advice of his privy council; in the enactment of wise and useful laws for the administration of justice, and the punishment of oppression. For these purposes, a parliament was held at Scone, on the 2d of March 1371, and another meeting of the estates took place in April 1373, in which many improvements were introduced, and some abuses corrected.[5] It seems at this period to have been customary for the lords of the king's council to avail themselves of the advice of private persons, who sat along with them in deliberation, although not elected to that office. This practice was now abolished. Sheriffs and other judges were prohibited from asking or receiving presents from litigants of any part of the sum or matter in dispute; several acts were passed relative to the punishment of murder, in its various degrees of criminality; ketherans, or masterful beggars, were declared not only liable to arrest, but, in case of resistance, to be slain on the spot; and all malversation by judges was pronounced cognisable by a jury, and punishable at the king's pleasure. These enactments point to a state of things in which it was evidently far

[1] Records of the Parliament of Scotland, sub anno 1371, pp. 122, 124.
[2] Ibid. sub anno 1371, p. 122.
[3] Rotuli Scotiæ, vol. i. p. 953.
[4] Records of the Parliament of Scotland, pp. 126, 127, sub anno 1372. Chamberlain Accounts, vol. ii. p. 3.
[5] Ibid. p. 124. The parliament consisted of the dignified clergy, the earls, barons, and free tenants *in capite*, with certain burgesses summoned from each burgh.

easier to make laws than to carry them into execution.[1]

In the meantime, England was visited with two great calamities. Edward prince of Wales, commonly called the Black Prince, to the universal regret of the nation, and even of his enemies, died at Westminster; and his illustrious father, broken by the severity of the stroke, and worn out with the fatigues of war, survived him scarcely a year. Anxious for the tranquillity of his kingdom, it had been his earnest wish to conclude a peace with France; but even this was denied him; and he died on the 1st of June 1377, leaving the reins of government to fall into the hands of a boy of eleven years of age, the eldest son of the Black Prince, who was crowned at Westminster, on the 11th July 1377, by the title of Richard the Second. Edward the Third was a monarch deservedly beloved by his people, and distinguished for the wisdom and the happy union of firmness and lenity which marked his domestic administration; but his passion for conquest and military renown, which he gratified at an immense expense of money and of human life, whilst it served to throw that dangerous and fictitious splendour over his reign which is yet scarcely dissipated, was undoubtedly destructive of the best and highest interests of his kingdom. Nothing, indeed, could afford a more striking lesson on the vanity of foreign conquest, and the emptiness of human grandeur, than the circumstances in which he died: stript of the fairest provinces which had been the fruit of his victories, the survivor of his brave son and his best captains, and at last pillaged and deserted in his last moments by his faithless mistress and ungrateful domestics. His death delivered Scotland for the time from apprehension, and weakened in a great measure those causes of suspicion and distrust which have already been described.

But, although the action of these was suspended, there were other subjects of mutual irritation, which could not be so easily removed. The feudal system, which then existed in full vigour in Scotland, contained within itself materials the very reverse of pacific. The power of the barons had been decidedly increasing since the days of Robert the First; the right of private war was exercised by them in its full extent; and, on the slightest insult or injury offered to one of their vassals by the English wardens of the Border, they were ready to take the law into their own hands, and at the head of a force, which for the time defied all resistance, to invade the country, and inflict a dreadful vengeance. In this manner, the king was frequently drawn in to support, or at least to connive at, the atrocities of a subject too powerful for him to control or resist; and a spark of individual malice or private revenge would kindle those materials, which were ever ready to be inflamed, into the wide conflagration of a general war.

The truth of these remarks was soon shewn. At the fair of Roxburgh, a gentleman, belonging to the bedchamber of the Earl of March, was slain in a brawl by the English, who then held the castle in their hands. March, a grandson of the great Randolph, was one of the most powerful of the Scottish nobles. He instantly demanded redress, adding that, if it was not given, he would not continue to respect the truce; but his representation was treated with scorn, and, as the earl did not reply, it was imagined he had forgotten the affront. Time passed on, and the feast of St Laurence arrived, which was the season for the next fair to be held, when the town was again filled with the English, who, in unsuspicious security, had taken up their residence for the purposes of traffic or pleasure. Early in the morning, March, at the head of an armed force, surprised and stormed the town, set it on fire, and commenced

[1] Records of the Parliament of Scotland, pp. 124, 125, sub anno 1371. A parliament was held by Robert the Second at Scone, on the 3d of April 1373, of which an important document has been preserved, touching the succession to the crown. Ibid. sub anno 1373.

a pitiless slaughter of the English, sparing neither age nor infancy. Many who barricaded themselves in the booths and houses, were dragged into the streets and murdered, or met a more dreadful death in the flames; and the earl, at his leisure, drew off his followers, enriched with plunder, and glutted with revenge.[1]

This atrocious attack proved the commencement of a series of hostilities, which, although unauthorised by either government, were carried on with obstinate and systematic cruelty. The English borderers flew to arms, and broke in upon the lands of Sir John Gordon, one of March's principal assistants in the recent attack upon Roxburgh. Gordon, in return, having collected his vassals, invaded England, and carried away a large booty in cattle and prisoners; but, before he could cross the Border, was attacked in a mountain-pass by Sir John Lilburn, at the head of a body of knights and men-at-arms, double the number of the Scots. The skirmish was one of great obstinacy, and constituted what Froissart delights in describing as a fair point of arms, in which there were many empty saddles, and many torn and trampled banners; but, although grievously wounded, Gordon made good his retreat, took Lilburn prisoner, and secured his plunder.[2] This last insult called down the wrath of the English warden, Henry Percy, earl of Northumberland, who, loudly accusing the Scots of despising the truce, at the head of an army of seven thousand men, broke across the Border, and encamped near Dunse, with the design of laying waste the extensive possessions of the Earl of March, which were situated in that quarter. But this "Warden Raid," which involved such great preparations, ended in a very ridiculous manner. The great proportion of the English consisted of knights and men-at-arms, whose horses were picketed on the outside of the encampment, under the charge of the sutlers and camp-boys, whilst their masters slept on their arms in the centre. It was one of the injunctions of the good King Robert's testament, to alarm the encampments of the English

> "By wiles and wakening in the nycht,
> And meikil noise made on hycht;"[3]

and in this instance Percy suffered under its success. At the dead of night, his position was surrounded, not by an army, but by a multitude of the common serfs and varlets, who were armed only with the rattles which they used in driving away the wild beasts from their flocks; and such was the consternation produced amongst the horses and their keepers, by the sounding of the rattles, and the yells and shouting of the assailants, whose numbers were magnified by the darkness, that all was thrown into disorder. Hundreds of horses broke from the stakes to which they were picketed, and fled masterless over the country; numbers galloped into the encampment, and carried a panic amongst the knights, who stood to their arms, and every moment expected an attack: but no enemy appeared; and when morning broke, the Earl of Northumberland had the mortification to discover at once the ridiculous cause of the alarm, and to find that a great proportion of his best soldiers were unhorsed, and compelled, in their heavy armour, to find their way back to England. A retreat was ordered; and, after pillaging the lands of the Earl of March, the warden recrossed the Border.[4]

It was unfortunate that these infractions of the truce, which were decidedly injurious to the best interests of both countries, were not confined to the eastern marches. The Baron of Johnston, and his retainers and vassals, harassed the English on the western border;[5] while at sea, a Scottish naval adventurer, of great spirit and enterprise, named Mercer, infested the English shipping, and, at the head of a squadron of armed vessels, con-

[1] Fordun a Goodal, vol. ii. p. 384. Winton, vol. ii. p. 306. Walsingham, p. 198.
[2] Winton, vol. ii. p. 309.
[3] Fordun a Goodal, vol. ii. p. 232.
[4] Ibid. vol. i. p. 385. Winton, vol. ii. p. 309.
[5] Winton, vol. ii. p. 311.

sisting of Scottish, French, and Spanish privateers, scoured the channel, and took many rich prizes. The father of this bold depredator is said by Walsingham to have been a merchant of opulence, who resided in France, and was in high favour at the French court. During one of his voyages he had been taken by a Northumbrian cruiser, and carried into Scarborough;[1] in revenge of which insult, the son attacked this seaport, and plundered its shipping. Such was the inefficiency of the government of Richard, that no measures were taken against him; till at last Philpot, a wealthy London merchant, at his own expense fitted out an armament of several large ships of war, and attacking Mercer, entirely defeated him, took him prisoner, and captured his whole squadron, among which were fifteen Spanish vessels, and many rich prizes.[2]

It would be tedious and uninstructive to enter into any minute details of the insulated and unimportant hostilities which, without any precise object, continued for some years to agitate the two countries: committed during the continuance of a truce, which was publicly declared to be respected by both governments, they are to be regarded as the outbreakings of the spirit of national rivalry engendered by a long war, and the effects of that love of chivalrous adventure which was then at its height in Europe. The deep-laid plans of Edward the Third for the entire subjugation of Scotland were now at an end; the character of the government of Richard the Second, or rather of his uncles, into whose hands the management of the state had fallen, was, with regard to Scotland, decidedly just and pacific; and the wisest policy for that country would have been to have devoted her whole attention to the regulation of her internal government, to the recruiting of her finances, and the cultivation of those arts which form the true sources of the prosperity and greatness of a kingdom. Had the king been permitted to follow the bent of his own disposition, there is reason to think that these principles would have been adopted; but the nobility was still too powerful and independent for the individual character of the sovereign to have much influence; and the desire of plunder, and the passion for military adventure, rendered it impossible for such men to remain at peace.

Another cause increased these hostile feelings. Although the alliance with France was no longer essentially advantageous to Scotland, yet the continuance of the Scottish war was of importance to France in the circumstances in which that country was then placed, and no means were left unemployed to secure it. The consequence of all this was the perpetual infringement of the truce by hostile invasions, and the reiterated appointment of English and Scottish commissioners, who were empowered to hold courts on the Borders for the redress of grievances. These repeated Border raids, which drew after them no important results, are of little interest. They had the worst effect, as they tended greatly to increase the exasperation between the two countries, and to render more distant and hopeless the prospect of peace; and they become tedious when we are obliged to regard them as no longer the simultaneous efforts of a nation in defence of their independence, but the selfish and disjointed expeditions of an aristocracy whose principal objects were plunder and military adventure. It was in one of these that the castle of Berwick was stormed and taken by a small body of adventurers, led by Alexander Ramsay, who, when summoned by the Scottish and English wardens, proudly replied, "that he would give up his prize neither to the monarch of England nor of Scotland, but would keep it while he lived for the King of France." Some idea may be formed of the ignorance of the mode of attacking fortified towns in those days from the circumstance that

[1] Rotuli Scotiæ, vol. ii. p. 16. 20th June, 2 Rich. II.

[2] Walsingham, p. 211.

the handful of Scottish borderers, who were led by this intrepid soldier, defended the castle for some time against the Earl of Northumberland, at the head of ten thousand men, assisted by miners, mangonels, and all the machinery for carrying on a siege.[1]

It was in this siege that Henry Percy, afterwards so famous under the name of Hotspur, first became acquainted with arms; and a quarrel, which had begun in a private plundering adventure, ended in a more serious manner. After making himself master of Berwick, the Earl of Northumberland, along with the Earl of Nottingham, and Sir Thomas Musgrave, the governor of Berwick, invaded the southern parts of Scotland; and Sir Archibald Douglas, having under him a considerable force, had advanced against him, but being unable to cope with the army of Percy, he retired and awaited the result. As he had probably expected, Musgrave, who enjoyed a high reputation for military enterprise, pushed on to Melrose at the head of an advanced division, and suddenly on the march found himself in the presence of Douglas and the Scottish army,—a conflict became unavoidable, and it was conducted with much preparatory pomp and formality. Douglas called to him two sons of King Robert, who were then under his command, and knighted them on the field; Musgrave conferred the same honour on his son, and although he was greatly outnumbered by the Scots, trusting to the courage of his little band, who were mostly of high rank, and to the skill of the English archers, began the fight with high hopes. But after a short and desperate conflict, accompanied with a grievous slaughter, the English were defeated. It was the custom of Sir Archibald Douglas, as we learn from Froissart, when he found the fight becoming hot, to dismount, and attack the enemy with a large two-handed sword; and on this occasion, such was the fury of his assault that nothing could resist it.[2] Musgrave and his son, with many other knights and esquires, were taken prisoners; and Douglas, who felt himself unequal to oppose the main army of Percy and the Earl of Nottingham, fell back upon Edinburgh. The succeeding years were occupied in the same course of Border hostilities, whilst in England, to the miseries of invasion and plunder was added the calamity of a pestilence, which swept away multitudes of her inhabitants, and by weakening the power of resistance increased the cruelty of her enemy.[3]

At length John of Gaunt, the duke of Lancaster, who at this time directed the counsels of his nephew, Richard the Second, approached Scotland at the head of a powerful army, although he declared his object to be solely the renewal of the truce, and the establishment of peace and good order between the two countries. Sir Archibald Douglas, lord of Galloway, along with the Bishops of Dunkeld and Glasgow, and the Earls of Douglas and March, were immediately appointed commissioners to open a negotiation; and having consented to a cessation of hostilities, Lancaster disbanded his army, and agreed to meet the Scottish envoys in the following summer in a more pacific guise, at the head of his usual suite. The conference accordingly took place, and the Earl of Carrick, the heir of the throne, managed the negotiations on the part of Scotland, which concluded in an agreement to renew the truce for the space of three years, during which time the English monarch consented to delay the exaction of the remaining penalty of the ransom of David the Second, of which twenty-five thousand marks were still due.[4]

It was at this time that the famous popular insurrection, which was headed by Wat Tyler, had arrived at its height in England; and Lancaster, who was suspected of having given countenance to the insurgents, and

[1] Walsingham, p. 219. Froissart, par Buchon, vol. vii. pp. 44, 48.

[2] Froissart, par Buchon, vol. vii. p. 57.

[3] Rotuli Scotiæ, June 7, 2 Rich. II., and March 5, 5 Rich. II. vol. ii. pp. 16, 42.

[4] Rymer, vol. vii. p. 312.

who dreaded the violence of a party which had been formed against him, found himself in an awkward and perilous dilemma. He begged permission of the Earl of Carrick to be permitted to retreat for a short season into Scotland; and the request was not only granted, but accompanied with circumstances which marked the courtesy of the age. The Earl of Douglas, along with Sir Archibald Douglas, lord of Galloway, conducted him with a brilliant retinue to Haddington, from which they proceeded to Edinburgh, where the Abbey of Holyrood was fitted up for his reception. Gifts and presents were made to him by the Scottish nobles, and here he remained till the fury of the storm was abated, and he could return in safety, escorted by a convoy of eight hundred Scottish spears, to the court of his nephew.[1] This friendly conduct, and the desire of remaining at peace, which was felt by both monarchs, might have been expected to have averted hostilities for some time; yet such was the influence of a restless aristocracy, that previous to the expiry of this truce Scotland again consented to be involved in a negotiation with the French king, which eventually entailed upon the nation the calamities of a war, undertaken with no precise object, and carried on at an immense expense of blood and treasure.

The foundation of this new treaty appears to have been those secret articles regarding an invasion of England, which have been already mentioned. A prospect of the large sum of forty thousand franks of gold, to be distributed amongst the Scottish nobles, and an engagement to send into Scotland a body of a thousand men-at-arms, with a supply of a thousand suits of armour, formed a temptation which could not easily be resisted; and although no definite agreement was concluded, it became evident to England that her enemy had abandoned all pacific intentions.[2]

When the truce expired, the war was renewed with increased rancour. Lochmaben, a strong castle, which had been long in the hands of the English, was taken by Sir Archibald Douglas;[3] and the Duke of Lancaster invaded Scotland at the head of a numerous army, and accompanied by a fleet of victualling ships, which anchored in the Forth near Queensferry. But the expedition was singularly unfortunate. Although it was now the month of March, the Scottish winter had not concluded, and the cold was intense. Lancaster, after exhausting the English northern counties in the support of his host, pushed on to Edinburgh, which his knights and captains were eager to sack and destroy. In this, however, they were disappointed; for the English commander, mindful of the generous hospitality which he had lately experienced, commanded the army to encamp at a distance from the town, and issued the strictest orders that none should leave the ranks. For three days parties of the Scots could be seen carrying off everything that was valuable, and transporting their goods and chattels beyond the Forth. Numbers of the English soldiers, in the meantime, began to be seized with sickness, occasioned by exhalations from the marches; and within a short time, five hundred horses died of cold. When at length permitted to advance to Edinburgh, the soldiers, as was to be expected, found nothing to supply their urgent wants: the Scots had even carried off the straw roofs of their wooden houses; and having retreated into the woods and strongholds, quietly awaited the retreat of the English; and began their usual mode of warfare, by cutting off the foraging parties which, disregarding the orders of Lancaster, were compelled, by the calls of hunger, to leave the encampment.[4] In the meantime, Sir Alexander Lindsay had attacked and put to the sword the crew of one of the English ships which had made good a landing on the ground above Queensferry; and

[1] Winton, vol. ii. pp. 315, 316.
[2] Records of the Parliament of Scotland, sub anno 1383, p. 131.
[3] Winton, vol. ii. p. 317.
[4] Walsingham, pp. 308, 309.

the King of Scotland had issued orders to assemble an army, for the purpose of intercepting Lancaster in his retreat to England.

At this crisis, ambassadors arrived from France, to notify the truce lately concluded between that country and England; whilst, at the same time, in the spirit of military adventure, then so prevalent, a party of French knights and esquires, tired of being idle at home, took shipping for Scotland, and, on their arrival at Edinburgh, found the Scottish parliament deliberating on the propriety of prosecuting the war. The king and the nobles were divided in their opinion. Robert, with true wisdom, and a desire to promote the best interests of his people, desired peace; and whilst he received the French knights with kindness and courtesy, commanded them and his nobles to lay aside all thoughts of hostilities. Meanwhile Lancaster had profited by the interval allowed him, and made good his retreat; which was accompanied, as usual in these expeditions, with the total devastation of the country through which he passed, and the plunder of the immense estates of the Border earls. To them, and to the rest of the nobility, the king's proposal was particularly unsatisfactory; nor are we to wonder that when their fields and woods, their manors and villages, were still blackened with the fires of the English, and their foot had been in the stirrup to pursue them, the counter order of the king, and the message of the French envoys regarding the truce, came rather unseasonably.

These, however, were not the days when Scottish barons, having resolved upon war, stood upon much ceremony, either as to the existence of a truce, or the commands of a sovereign. It was, accordingly, privately determined by the Earls of Mar and Douglas, along with Sir Archibald, the lord of Galloway, that the foreign knights who had travelled so far to prove their chivalry should not be disappointed, and after a short stay at Edinburgh they were surprised by receiving a secret message from Douglas requiring them to repair to his castle at Dalkeith, where they were warmly welcomed; and, again taking horse, found themselves, in three days' riding, in the presence of an army of fifteen thousand men, mounted on active hackneys, and lightly armed after the fashion of their country.[1] With this force they instantly broke into the northern counties of England; wasted the towns and villages with fire and sword; wreaked their vengeance upon the estates of the Earls of Northumberland and Nottingham; and returned with a large booty in prisoners and cattle. We learn from Froissart, that the King of Scotland was ignorant of this infraction of the truce; and in much concern immediately despatched a herald to explain the circumstances to the English court.[2] But it is more probable that, knowing of the intended expedition, he was unable to prevent it. However this might be, its consequences were calamitous; for, as usual, it brought an instantaneous retaliation upon the part of the Earl of Northumberland; and the French knights, on their return to their own country, spoke so highly in favour of the pleasures of a Scottish "raid," and the facilities offered to an attack upon England in this quarter, that the King of France began to think seriously of carrying the projected treaty, to which we have already alluded, into immediate execution, and of sending an army into Scotland.

An interval, which cannot be said to belong either to peace or to war, succeeded these events, and offers little of general interest: the Border inroads being continued with equal and unvaried cruelty; but in a meeting of the parliament, which took place at Edinburgh, a few provisions were passed regarding the state of the country, which are not unworthy of

[1] Froissart, vol. ix. p. 27. Walsingham, p. 309. About this time, the remaining part of Teviotdale, which, since the battle of Durham, had been in the hands of the English, was recovered by the exertions of the Earl of Douglas. Winton, vol. ii. p. 322.

[2] Froissart, par Buchon, vol. ix. p. 28. Rotuli Scotiæ, vol. ii. 1385, p. 63.

notice.[1] It was determined that those greater and lesser barons to whom the sovereign, in the event of war, had committed certain divisions of the kingdom should have their array of men-at-arms and archers in such readiness, that, as soon as required, they should be ready to pass to the Borders in warlike apparel, with horse, arms, and provisions; so that the lands through which the host marched should not be wasted by their exactions.

It appears that grievous injury had been suffered, owing to the total want of all law and justice in the northern districts of the kingdom. Troops of feudal robbers, chiefs who lived by plunder, and owned no allegiance either to king or earl, traversed the Highland districts, and enlisted into their service malefactors and *ketherans*, who, without respect to rank or authority, burnt, slew, and plundered, wherever their master chose to lead. This dreadful state of things called for immediate attention; and to the Earl of Carrick, the heir to the throne, was the arduous affair intrusted. He was commanded to repair instantly to the disordered districts, at the head of a force which might insure obedience; to call a meeting of the wisest landholders of these northern parts; and, having taken their advice, to adopt such speedy measures as should strike terror into the guilty, and restore order and good government throughout the land.[2]

The large district of Teviotdale, which had long been in the possession of the English, having been now cleared of these intruders and restored to the kingdom by the arms of the Earl of Douglas, it became necessary to adopt measures for the restoration of their lands to those proprietors who had been expelled from them during the occupation of the country by the enemy. It was ordered that all persons in Teviotdale who had lately transferred their allegiance from the King of England to the King of Scotland should, within eight days, exhibit to the Chancellor their charters, containing the names of the lands and possessions which they claimed as their hereditary right, wherever they happened to be situated; along with the names of those persons who now possessed them, and of the sheriffdoms within whose jurisdiction they were situated. The object of this was to enable all those persons who, on the part of the claimants in Teviotdale, were about to receive letters of summons from the Chancellor, to present their letters with such diligence to the sheriffs, as to enable these officers within eight days to expedite the proper citations. It was, besides, ordained that the Chancellor should direct the king's letters to the various sheriffs, commanding them to summon all persons who then held or asserted their right to hold any lands, to appear before the king and council, bringing with them their charters and title-deeds, that they might hear the final decision on the subject.[3]

The next provision of the parliament introduces us to a case of feudal oppression, strikingly characteristic of the times, and evinces how feeble and impotent was the arm of the law against the power of the aristocracy. William de Fentoun complained that he had been unjustly expelled from his manor of Fentoun by a judgment pronounced in the court of the Baron of Dirleton. He immediately appealed to the Sheriff of Edinburgh, and was restored. Again was he violently thrust out: upon which he carried his cause before the king's privy council, and by their solemn award his lands were once more restored. In the face of this last decision by the sovereign and his council, this unfortunate person continued to be excluded from his property by the Baron of Dirleton, who, against all law, violently kept him down; so that he was compelled, in extreme distress, to appeal to the parliament. This case of reiterated tyranny and oppres-

[1] Records of the Parliament of Scotland, sub anno 1385, p. 133.

[2] Cartulary of Aberdeen, Advoc. Library, pp. 104, 105.

[3] Records of the Parliament of Scotland sub anno 1385, p. 133.

sion having been proved by the evidence of the sheriff, it was resolved that Fentoun, without delay, should be reinstated by the royal power, and that the rents due since the period of his expulsion should be instantly restored to him. Whether this final judgment by the court of last resort was more successful than the former sentences against this feudal tyrant, cannot now be discovered; but it is very possible that Fentoun never recovered his property. The remaining provisions of the parliament are of little moment, and relate chiefly to the amicable arrangement of some disputes which had arisen between the Earls of Buchan and of Strathern, both of them sons of the king.

An event of great interest and importance now claims our attention, in the expedition of John de Vienne, the admiral of France, into Scotland. It is one of the miserable consequences of war and the passion for conquest that they almost indefinitely perpetuate the evils which they originally produce. A nation once unjustly attacked, and for a time treated as a conquered people, is not satisfied with the mere defence of its rights, or the simple expulsion of its invaders: wounded pride, hatred, the desire of revenge, the love of plunder, or of glory, all provoke retaliation; and man delights to inflict upon his enemy the extremity of misery from which he has just escaped himself. France accordingly began to ponder upon the best mode of carrying the war into England; and the representations of the knights who had served in the late expedition of Douglas had a strong effect in recommending an invasion through Scotland. They remarked that the English did not fight so well in their own country as on the continent;[1] and without adverting to the true cause of Douglas's success in the skill with which he seized the moment when Lancaster's army had dispersed, and his rapid retreat before the English wardens could assemble their forces, they contrasted the obstinacy with which the English disputed every inch of ground in France with the facility with which they themselves had been permitted to march and plunder in England.

It was accordingly determined to fulfil the stipulations of the last treaty, and to attack the English king upon his own ground, by sending a large body of auxiliaries into Scotland, and co-operating with that nation in an invasion. For this purpose they selected John de Vienne, admiral of France, and one of the most experienced captains of the age, who embarked at Sluys, in Flanders, with a thousand knights, esquires, and men-at-arms, forming the flower of the French army, besides a body of cross-bowmen and common soldiers, composing altogether a force of two thousand men. He carried along with him fourteen hundred suits of armour for the Scottish knights, and fifty thousand franks of gold,[2] to be paid on his arrival to the king and his barons. It was determined to attack England at the same time by sea; and a naval armament for this purpose had been prepared at a great expense by the French. But this part of the project was unsuccessful, and the fleet never sailed.

Meanwhile all seemed to favour the expedition of Vienne. The wind was fair, the weather favourable—for it was in the month of May—and the transports, gleaming with their splendid freight of chivalry, and gay with innumerable banners, were soon wafted to the Scottish coast, and cast anchor in the ports of Leith and Dunbar. They were warmly welcomed by the Scottish barons: and the sight of the suits of foreign armour, then highly prized, with the promise of a liberal distribution of the French gold, could not fail to make a favourable impression.[3] On the arrival of the admiral

[1] Froissart, par Buchon, vol. ix. p. 162.

[2] Winton, vol. ii. p. 324. He says there were eight hundred knights, of which number a hundred and four were knights-bannerets; and besides this, four hundred arblasts or crossbows.

[3] The proportion in which the French money was distributed amongst the Scottish nobles gives us a pretty correct idea of the comparative consequence and power of the various members of the Scottish aristocracy. See Rymer, vol. vii. pp. 484, 485.

at Edinburgh, he found that the king was then residing in the district which Froissart denominates the wild of Scotland,—meaning, perhaps, his palace of Stirling, which is on the borders of a mountainous country. His speedy arrival, however, was looked for; and till then the Earls of Moray and Douglas took charge of the strangers. To provide lodgings for them all in Edinburgh was impossible; and in the efforts made to house their fastidious allies, who had been accustomed to the hotels of Paris, we are presented with a striking picture of the poverty of this capital, when contrasted with the wealth and magnitude of the French towns. It became necessary to furnish quarters for the knights in the adjacent villages; and the necessity of billeting such splendid guests upon the burgesses, farmers, and yeomen occasioned loud and grievous murmurs. Dunfermline, Queensferry, Kelso, Dunbar, Dalkeith, and many other towns and villages not mentioned by Froissart, were filled with strangers speaking a foreign language, appropriating to themselves without ceremony the best of everything they saw, and assuming an air of superiority which the Scots could not easily tolerate. Mutual dissatisfaction and hatred naturally arose; and although the Earls of Douglas and Moray, who were well contented with an expedition which promised them the money of France as well as the plunder of England, continued to treat the French with kindness and courtesy, the people and the lesser barons began to quarrel with the intruders, and to adopt every method for their distress and annoyance. All this is feelingly described by the delightful and garrulous historian of the period:—"What evil spirit hath brought you here? was," he tells us, "the common expression employed by the Scots to their allies. Who sent for you? Cannot we maintain our war with England well enough without your help? Pack up your goods and begone; for no good will be done as long as ye are here! We neither understand you nor you us. We cannot communicate together, and in a short time we shall be completely rifled and eaten up by such troops of locusts. What signifies a war with England? the English never occasioned such mischief as ye do. They burned our houses, it is true; but that was all: and with four or five stakes, and plenty green boughs to cover them, they were rebuilt almost as soon as they were destroyed." It was not, however, in words only that the French were thus ill-treated. The Scottish peasants rose against the foraging parties, and cut them off. In a month more than a hundred men were slain in this manner, and, at last, none ventured to leave their quarters.[1]

At length the king arrived at Edinburgh, and a council was held by the knights and barons of both nations, on the subject of an immediate invasion of England. And here new disputes and heartburnings arose. It was soon discovered that Robert was averse to war. "He was," says Froissart, whose information regarding this expedition is in a high degree minute and curious, "a comely tall man, but with eyes so bloodshot that they looked as if they were lined with scarlet; and it soon became evident that he himself preferred a quiet life to war; yet he had nine sons who loved arms." The arguments of his barons, joined to the remonstrances of Vienne, and the distribution of the French gold, in the end overcame the repugnance of the king; and the admiral had soon the satisfaction of seeing an army of thirty thousand horse assembled in the fields near Edinburgh.

Unaccustomed, however, to the Scottish mode of carrying on war, and already disposed to quarrel on account of the injuries they had met with, the French were far from cordially co-operating with their allies; so that it was found necessary to hold a council of officers, and to draw up certain regulations for the maintenance of order during the expedition, which were to be equally binding upon the soldiers of both nations. Some of

1 Froissart, par Buchon, vol. ix. pp. 155 157.

these articles are curious and characteristic:—No pillage was permitted in Scotland under pain of death; the merchants and victuallers who followed or might resort to the camp were to be protected and have prompt payment; any soldier who killed another was to be hanged; if any varlet defied a gentleman, he was to lose his ears; and if any gentleman challenged another he was to be put under arrest and justice done according to the advice of the officers. In the case of any riot arising between the French and the Scots, no appeal to arms was to be permitted; but care was to be taken to arrest the ringleaders, who were to be punished by the council of the officers. When riding against the enemy, if a French or a Scottish man-at-arms should bear an Englishman to the earth, he was to have half his ransom; no burning of churches, ravishing or slaughter of women or infants, was to be suffered; and every French and Scottish soldier was to wear a white St Andrew's cross on his back and breast; which, if his surcoat or jacket was white, was to be embroidered on a division of black cloth.[1]

It being now time to commence the campaign, the army broke at once across the marches, and after a destructive progress appeared before the castle of Roxburgh. The king's sons, along with De Vienne, the admiral, and the Earls of Douglas, Mar, Moray, and Sutherland, were the Scottish leaders; but Robert himself, unwieldy from his age, remained at Edinburgh. Roxburgh castle, strong in its fortifications and excellently situated for defence, offered little temptation to a siege. For many months it might have been able to defy the most obstinate attacks of the united powers of France and Scotland; and all idea of making themselves masters of it being abandoned, the army pushed on towards Berwick, and with difficulty carried by assault the two smaller fortalices of Ford and Cornal, which were bravely defended by an English knight and his son.[2] Wark, one of the strongest Border castles, commanded by Sir John Lusborn, was next assaulted; and after a severe loss stormed and taken chiefly, if we may believe Froissart, by the bravery of the French; whilst the country was miserably wasted by fire and sword, and the plunder and the prisoners slowly driven after the host, which advanced by Alnwick, and carried their ravages to the gates of Newcastle. Word was now brought that the Duke of Lancaster and the barons of the bishoprics of York and Durham, with the Earls of Northumberland and Nottingham, had collected a powerful force, and were advancing by forced marches to meet the enemy; and here it became necessary for the captains of the different divisions to deliberate whether they should await them where they were and hazard a battle, or fall back upon their own country. This last measure the Scots naturally preferred. It was their usual mode of proceeding to avoid all great battles; and the result of the war of liberty had shewn the wisdom of the practice. Indeed, outnumbered as they always were by the English, and far inferior to them in cavalry, in archers, in the strength of their horses and the temper of their arms, it would have been folly to have attempted it. But Vienne, one of the best and proudest soldiers in Europe, could not enter into this reasoning. He and his splendid column of knights, squires, and archers were anxious for battle; and it was with infinite reluctance that he suffered himself to be over-persuaded by the veteran experience of Douglas and Moray, and consented to fall back upon Berwick.

In the meantime the King of England assembled an army more potent in numbers and equipment than any which had visited Scotland for a long period. It was the first field of the young monarch; and his barons, eager to demonstrate their loyalty, attended with so full a muster, that, according to a contemporary English historian, three hundred thousand horses were

[1] Records of the Parliament of Scotland, sub anno 1385, pp. 135, 136.

[2] Winton, vol. ii, p. 324.

employed.[1] The unequal terms upon which a richer and a poorer country make war on each other were never more strikingly evinced than in the result of these English and Scottish expeditions. The Scots, breaking in upon the rich fields of England, mounted on their hardy little hackneys, which lived on so little in their own country that any change was for the better; carrying nothing with them but their arms; inured to all weathers and fearlessly familiar with danger, found war a pastime rather than an inconvenience; enriched themselves with plunder, which they transported with wonderful expedition from place to place, and at last safely landed it at home. Intimately acquainted with the seat of war, on the approach of the English, they could accept or decline battle as they thought best; if outnumbered, as was generally the case, they retired, and contented themselves with cutting off the convoys or foraging parties and securing their booty; if the English, from want of provisions or discontent and disunion amongst the leaders, commenced their retreat, it was infested by their unwearied enemy, who instantly pushed forward, and hovering round their line of march, never failed to do them serious mischief. On the other hand, the very strength and warlike and complicated equipment of the English army proved its ruin, or at least totally defeated its object; and this was soon seen in the result of Richard's invasion. The immense mass of his host slowly proceeded through the Border counties by Liddesdale and Teviotdale,[2] devouring all as they passed on, and leaving behind them a black desert. In no place did they meet an enemy; the Scots had stript the country of everything but the green crops on the ground; and empty villages which were given to the flames, and churches and monasteries razed and plundered, formed the only triumphs of the campaign.

One event, however, is too characteristic to be omitted. When the news of this great expedition reached the camp of Douglas and Vienne, who had fallen back towards Berwick, the Scots, although aware of the folly of attempting to give battle, yet deemed it prudent to approach nearer, and watch the progress of their enemy. Here, again, the impatient temper of the French commander broke out, and he insisted that their united strength was equal to meet the English, on which the Earl of Douglas requested him to ride with him to a neighbouring eminence, and reason the matter as they went. The admiral consented, and was surprised when they arrived there to hear the tramp of horse and the sound of martial music. Douglas had, in truth, brought him to a height which hung over a winding mountain pass, through which the English army were at that moment defiling, and from whence, without the fear of discovery, they could count the banners and perceive its strength. The argument thus presented was not to be questioned, and Vienne, with his knights, permitted themselves to be directed by the superior knowledge and military skill of the Scottish leaders.[3]

Meanwhile, King Richard pushed on to the capital. The beautiful Abbeys of Melrose and Dryburgh were given to the flames; Edinburgh was burned and plundered, and nothing spared but the Monastery of Holyrood. It had lately, as we have seen, afforded a retreat to John of Gaunt, the king's uncle, who now accompanied him, and, at his earnest entreaty, was excepted from the general ruin. But the formidable expedition of the king was here concluded, and that unwise and selfish spirit of revenge and destruction, which had wasted the country, began to recoil upon the heads of its authors.[4] Multitudes perished

Walsingham, pp. 316, 537. Otterburn, p. 161.

[2] In the Archæologia, vol. xxii. part i. p. 13, will be found an interesting paper, describing the army of Richard and its leaders, printed from a MS. in the British Museum, and communicated by Sir Harris Nicolas.

[3] Froissart, par Buchon, vol. ix. p. 144.

[4] Froissart, vol. ix. p. 147, asserts that the English burnt St Johnston, Dundee, and pushed on as far as Aberdeen; but I have followed Walsingham and Fordun, who give the account of their ravages as it is found in the text.

from want, and provisions became daily more scarce in the camp. In such circumstances, the Duke of Lancaster advised that they should pass the Forth, and, imitating the example of Edward the First, attack and overwhelm the northern counties. But Richard, who scrupled not to accuse his uncle of treasonable motives, in proposing so desperate a project, which was, in truth, likely to increase the difficulties of their situation, resolved to retreat instantly by the same route which he had already travelled.

Before this, however, could be effected, the Scottish army, with their French auxiliaries, broke into England by the western marches; and, uniting their forces with those of Sir Archibald Douglas, lord of Galloway, ravaged Cumberland with a severity which was increased by the accounts of the havoc committed by the English. Towns, villages, manors, and hamlets were indiscriminately plundered and razed to the ground; crowds of prisoners, herds of cattle, waggons and sumpter-horses, laden with the wealth of burghers and yeomen, were driven along; and the parks and pleasure grounds of the Earls of Nottingham and Stafford, of the Mowbrays, the Musgraves, and other Border barons, swept of their wealth, and plundered with a merciless cruelty, which increased to the highest pitch the animosity between the two nations, and rendered the prospect of peace remote and almost hopeless. After this destruction, the united armies made an unsuccessful assault upon the city of Carlisle,[1] the fortifications of which withstood their utmost efforts; and upon this repulse, which seems to have renewed the heartburning between the French and Scots, they again crosse the Border, the French boasting that they had burnt, destroyed, and plundered more in the bishoprics of Durham and Carlisle than was to be found in all the towns of Scotland put together.[2]

[1] Winton, vol. ii. p. 325, affirms they would not assault Carlisle, for "thai dred tynsale of men."

When the army reached their former quarters, and proceeded to encamp in Edinburgh and the adjacent country, an extraordinary scene presented itself. The land, so late a solitary desert, was in a few hours alive with multitudes of the Scots, who emerged from the woods and mountain passes, driving their flocks and cattle before them, accompanied by their wives and children, and returning with their chattels and furniture to the burnt and blackened houses which they had abandoned to the enemy. The cheerfulness with which they bore these calamities, and set themselves to repair the havoc which had been committed, appears to have astonished their refined allies; but the presence of two thousand Frenchmen, and the difficulty of finding them provisions, was an additional evil which they were not prepared to bear so easily; and when the Admiral of France, to lighten the burden, abandoned his design of a second invasion of England, and permitted as many as chose to embark for France, the Scots refused to furnish transports, or to allow a single vessel to leave their ports, until the French knights had paid them for the injuries they had inflicted by riding through their country, trampling and destroying their crops, cutting down their woods to build lodgings, and plundering their markets. To these conditions Vienne was compelled to listen; indeed, such was the miserable condition in which the campaign had left his knights and men-at-arms, who were now for the most part unhorsed, and dispirited by sickness and privation, that to have provoked the Scots might have led to serious consequences. He agreed, therefore, to discharge the claims of damage and reparation which were made against his soldiers; and for himself came under an obligation not to leave the country till they were fully satisfied, his knights being permitted to return home.

These stipulations were strictly fulfilled. Ships were furnished by the

[2] Fordun a Goodal, vol. ii. p. 401. Froissart, par Buchon, vol. ix. p. 155.

Scots, and, to use the expressive language of Froissart, "divers knights and squires had passage, and returned into Flanders, as wind and weather drove them, with neither horse nor harness, right poor and feeble, cursing the day that ever they came upon such an adventure; and fervently desiring that the Kings of France and England would conclude a peace for a year or two, were it only to have the satisfaction of uniting their armies, and utterly destroying the realm of Scotland." Some knights who were fond of adventure, and little anxious to return to France in so miserable a condition, passed on to Denmark, Norway, and Sweden; others took shipping for Ireland, desirous of visiting the famous cavern known by the name of the purgatory of St Patrick;[1] and Vienne himself, after having corresponded with his government, and discharged the claims which were brought against him, took leave of the king and nobles of Scotland, and returned to Paris.

Such was the issue of an expedition fitted out by France at an immense expense, and which, from being hastily undertaken, and only partially executed, concluded in vexation and disappointment. Had the naval armament which was to have attacked England on the south been able to effect a descent, and had the Constable of France, according to the original intention, co-operated with Vienne, at the head of a large body of Genoese cross-bowmen and men-at-arms,[2] the result might perhaps have been different; but the great causes of failure are to be traced to the impossibility of reconciling two systems of military operations so perfectly distinct as those of the Scots and the French, and of supporting for any length of time, in so poor a country as Scotland, such a force as was able to offer battle to the English with any fair prospect of success. One good effect resulted from the experience gained in this campaign. It convinced the Scots of the superior excellence of their own tactics, which consisted in employing their light cavalry solely in plunder, or in attacks upon the archers when they were forced to fight, and in opposing to the heavy-armed cavalry of the English their infantry alone, with their firm squares and long spears. It also taught them that any foreign auxiliary force of the heavy-armed cavalry of the continent was of infinitely greater encumbrance than assistance in their wars with England, as they must either be too small to produce any effect against the overwhelming armies of that country, or too numerous to be supported, without occasioning severe distress.

Upon the departure of the French, the war continued with great spirit; and from the imbecility of the government of Richard the Second, a feeble opposition was made against the successes of the Scots. The systematic manner in which their invasions were conducted is apparent from the plan and details of that which immediately succeeded the expedition of Vienne. It was remembered by the Scottish leaders that in the general devastation which had been lately inflicted upon the English Border counties that portion of Cumberland, including the rich and fertile district of Cockermouth and the adjacent country, had not been visited since the days of Robert Bruce; and it was judged proper to put an end to this exemption. Robert, earl of Fife, the king's second son, James, earl of Douglas, and Sir Archibald Douglas, lord of Galloway, at the head of thirty thousand light troops, passed the Solway, and for three days[3] plundered and laid waste the whole of this beautiful district; so that, to use the expression of Fordun, the feeblest in the Scottish host had his hands full: nor do they appear to have met with the slightest opposition. A singular and characteristic anecdote of this expedition is

1 See Rymer, Fœdera, vol. viii. p. 14.
2 Froissart, par Buchon, vol. ix. p. 162.

3 Fordun a Goodal, vol. ii. p. 403. "Exercitum caute et quasi imperceptibiliter ducebat usque ad Cokirmouth, . . . per terram a diebus Domin Roberti de Bruce regis a Scotis non invasam."

preserved by this historian. Amid the plunder, an ancient Saxon charter of King Athelstane, with a waxen seal appended to it, was picked up by some of the soldiers, and carried to the Earl of Fife, afterwards the celebrated Regent Albany. Its lucid brevity astonished the feudal baron:—"I, King Adelstane, giffys here to Paulan, Oddam and Roddam, als gude and als fair, as ever thai myn war; and thairto witnes Mald my wyf." Often, says the historian, after the Earl became Duke of Albany and Governor of Scotland, when the tedious and wordy charters of our modern days were recited in the causes which came before him, he would recall to memory this little letter of King Athelstane, and declare there was more truth and good faith in those old times than now, when the new race of lawyers had brought in such frivolous exceptions and studied prolixity of forms.[1] It is singular to meet with a protestation against the unnecessary multiplication of words and clauses in legal deeds at so remote a period.

At the time of this invasion, another enterprise took place, which nearly proved fatal to its authors: a descent upon Ireland by Sir William Douglas, the natural son of Sir Archibald of Galloway, commonly called the Black Douglas. This young knight appears to have been the Scottish Paladin of those days of chivalry. His form and strength were almost gigantic; and what gave a peculiar charm to his warlike prowess was the extreme gentleness of his manners: sweet, brave, and generous, he was as faithful to his friends as he was terrible to his enemies. These qualities had gained him the hand of the king's daughter Egidia: a lady of such beauty, that the King of France is said to have fallen in love with her from the description of some of his courtiers, and to have privately despatched a painter into Scotland to bring him her picture; when he found, to his disappointment, that the princess had disposed of her heart in her own country.[2]

At this time the piracies of the Irish on the coast of Galloway provoked the resentment of Douglas, who, at the head of five hundred lances, made a descent upon the Irish coast at Carlingford, and immediately assaulted the town with only a part of his force, finding it difficult to procure small boats to land the whole. Before, however, he had made himself master of the outworks, the citizens, by the promise of a large sum of money, procured an armistice; after which, under cover of night, they despatched a messenger to Dundalk for assistance, who represented the small number of the Scots, and the facility of overpowering them. Douglas, in the meantime, of an honest and unsuspicious temper, had retired to the shore, and was busied in superintending the lading of his vessels, when he discerned the approach of the English, and had scarce time to form his little phalanx, before he was attacked not only by them but by a sally from the town. Yet this treacherous conduct was entirely unsuccessful: although greatly outnumbered, such was the superior discipline and skill of the Scots, that every effort failed to pierce their columns, and they at length succeeded in totally dispersing the enemy; after which the town was burnt to the ground, the castle and its works demolished, and fifteen merchant ships, which lay at anchor, laden with goods, seized by the victors.[3] They then set sail for Scotland, ravaged the Isle of Man as they returned, and landed safely at Lochryan in Galloway; from which Douglas took horse and joined his father, who, with the Earl of Fife, had broken across the Border, and was then engaged in an expedition against the western districts of England.

The origin of this invasion requires particular notice, as it led to important results, and terminated in the

[1] Fordun a Goodal, vol. ii. p. 403.

[2] Fordun a Goodal, vol. ii. p. 403.

[3] Fordun a Hearne, pp. 1073, 1074. Winton, vol. ii. pp. 335, 336.

celebrated battle of Otterburn. The Scots had not forgotten the miserable havoc which was inflicted upon the country by the late expedition of the King of England; and as this country was now torn by disputes between the weak monarch and his nobility, it was deemed a proper juncture to retaliate. To decide upon this, a council was held at Edinburgh. The king was now infirm from age, and wisely anxious for peace; but his wishes were overruled, and the management of the campaign intrusted by the nobles to his second son, the Earl of Fife, upon whom the hopes of the warlike part of the nation chiefly rested, his elder brother, the Earl of Carrick, who was next heir to the crown, being of a feeble constitution, and little able to endure the fatigues of the field. It was resolved that there should be a general muster of the whole military force of the kingdom at Jedburgh, preparatory to an invasion, upon a scale likely to insure an ample retribution for their losses.[1]

The rumour of this great summons of the vassals of the crown soon reached England; and the barons, to whom the care of the Borders was committed, began to muster their feudal services, and to prepare for resistance. On the day appointed, the Scots assembled at Yetholm, a small town not far from Jedburgh, and situated at the foot of the Cheviot Hills. A more powerful army had not been seen for a long period. There were twelve hundred men-at-arms and forty thousand infantry, including a small body of archers, a species of military force in which the Scots were still little skilled, when compared with the formidable power of the English bowmen. It was now necessary to determine in what manner the war should begin, and upon what part of the country its fury should first be let loose; and, when the leaders were deliberating upon this, a prisoner was taken and carried to head-quarters, who proved to be an English gentleman, despatched by the Border lords for the purpose of collecting information. From him they understood that the wardens of the marches did not deem themselves strong enough at that time to offer battle, but that, having collected their power, they had determined to remain quiet till it was seen in what direction the Scottish invasion was to take place, and then to make a counter expedition into Scotland; thus avoiding all chance of being attacked, and retaliating upon the Scots by a system of simultaneous havoc and plunder.

Upon receiving this information, which proved to be correct, the Earl of Fife determined to separate his force into two divisions, and for the purpose of frustrating the designs of the English, to invade the country both by the western and eastern marches. He himself, accordingly, with Archibald, lord of Galloway, and the Earls of Sutherland, Menteith, Mar, and Strathern, at the head of a large force, being nearly two-thirds of the whole army, began their march through Liddesdale, and passing the borders of Galloway, advanced towards Carlisle. The second division was chiefly intended to divert the attention of the English from opposing the main body of the Scots; it consisted of three hundred knights and men-at-arms, and two thousand foot, besides some light-armed prickers and camp-followers,[2] and was placed under the command of the Earl of Douglas, a young soldier, who, from his boyhood, had been trained to war by his father, and who possessed the hereditary valour and military talent of the family. Along with him went the Earls of March and Moray; Sir James Lindsay, Sir Alexander Ramsay, and Sir John St Clair, three soldiers of great experience; Sir Patrick Hepburn with his two sons, Sir John Haliburton, Sir John Maxwell, Sir Alexander Fraser, Sir Adam Glendinning, Sir David Fleming, Sir Thomas Erskine, and many other knights and squires.

With this small army, the Earl of

[1] Froissart, par Buchon, vol. xi. p. 363.

[2] Winton, vol. ii. p. 337, gives a much higher number; but we may here trust rather to Froissart, who affirms that he had no more than "three hundred men-at-arms, and two thousand infantry."

Douglas pushed rapidly on through Northumberland, having given strict orders that not a house should be burnt or plundered till they reached the bishopric of Durham. Such was the silence and celerity of the march, that he crossed the Tyne near Branspeth, and was not discovered by the English garrisons to be in the heart of this rich and populous district until the smoke of the flaming villages, and the terror of the people, carried the first news of his arrival to the city of Durham. Nor did the English dare at present to oppose him, imagining his force to be the advanced guard of the main army of the Scots: a natural supposition, for the capture of their spy had left them in ignorance of the real designs of the enemy. Douglas, therefore, plundered without meeting an enemy; whilst Sir Henry Percy, better known by his name of Hotspur, and his brother Ralph, the two sons of the Earl of Northumberland, along with the Seneschal of York, the Captain of Berwick, Sir Mathew Redman, Sir Ralph Mowbray, Sir John Felton, Sir Thomas Grey, and numerous other Border barons, kept themselves, with their whole power, within the barriers of Newcastle,[1] and the Earl of Northumberland collected his strength at Alnwick.

Meanwhile, having wasted the country as far as the gates of Durham, the Scottish leaders returned to Newcastle with a rapidity equal to their advance, and in the spirit of the times, determined to tarry there two days, and try the courage of the English knights. The names of Percy and of Douglas were at this time famous: Hotspur having the reputation of one of the bravest soldiers in England, and the Earl of Douglas, although his younger in years, being little inferior in the estimation in which his military prowess was held amongst his countrymen. In the skirmishes which took place at the barriers of the town, it happened that these celebrated soldiers came to be personally opposed to each other; and after an obstinate contest, Douglas won the pennon of the English leader, and boasted aloud, before the knights who were present, that he would carry it to Scotland, and plant it, as a proof of his prowess, on his castle of Dalkeith. "That, so help me God!" cried Hotspur, "no Douglas shall ever do; and ere you leave Northumberland you shall have small cause to boast." "Well, Henry," answered Douglas, "your pennon shall this night be placed before my tent; come and win it if you can!"[2]

Such was the nature of this defiance; and Douglas knew enough of Percy to be assured that, if possible, he would keep his word. He commanded, therefore, a strict watch to be maintained; struck the pennon into the ground in front of his tent, and awaited the assault of the English. There were occasions, however, in which the bravadoes of chivalry gave way to the stricter rules of war; and as the English leaders still entertained the idea that Douglas only led the van of the main army, and that his object was to draw them from their entrenchments, they insisted that Percy should not hazard an attack which might bring them into jeopardy. The Scots, accordingly, after in vain expecting an attack, left their encampment, and proceeded on their way. Passing by the tower of Ponteland, they carried it by storm, razed it to the ground, and still continuing their retreat, came, on the second day, to the village and castle of Otterburn, situated in Redesdale,[3] and about twelve miles from Newcastle. This castle was strongly fortified, and the first day resisted every attack; upon which most of their leaders, anxious not to lose time, but to carry their booty across the Borders, proposed to proceed into Scotland.

Douglas alone opposed this, and entreated them to remain a few days and make themselves masters of the castle, so that in the interval they might give Henry Percy full time, if he thought fit, to reach their encampment, and fulfil his promise. This

[1] Winton, vol. ii. p. 338. Froissart, par Buchon, vol. xi. p. 377.

[2] Froissart, par Buchon, vol. xi. p. 377.

[3] Winton, vol. ii. pp. 339, 340.

they at length agreed to; and having skilfully chosen their encampment, they fortified it in such a way as should give them great advantage in the event of an attack. In its front, and extending also a little to one side, was a marshy level, at the narrow entrance of which were placed their carriages and waggons laden with plunder, and behind them the horses, sheep, and cattle which they had driven away with them. These were committed to the charge of the sutlers and camp-followers, who, although poorly armed, were able to make some resistance with their staves and knives. Behind these, on firm ground, which was on one side defended by the marsh, and on the other flanked by a small wooded hill, were placed the tents and temporary huts of the leaders and the men-at-arms; and having thus taken every precaution against a surprise, they occupied themselves during the day in assaulting the castle, and at night retired within their encampment.[1] But this did not long continue. By this time it became generally known that Douglas and his little army were wholly unsupported; and the moment that Percy ascertained the fact, and discovered that the Scottish earl lay encamped at Otterburn, he put himself at the head of six hundred lances, and eight thousand foot, and, without waiting for the Bishop of Durham, who was advancing with his power to Newcastle, marched straight to Otterburn, at as rapid a rate as his infantry could bear.[2]

Hotspur had left Newcastle after dinner, and the sun was set before he came in sight of the Scots encampment. It was a placid evening in the month of August, which had succeeded to a day of extreme heat, and the greater part of the Scots, worn out with an unsuccessful attack upon the castle, had taken their supper and fallen asleep. In a moment they were awakened by a cry of "Percy, Percy!" and the English, trusting that they could soon carry the encampment from the superiority of their numbers, attacked it with the greatest fury. They were checked, however, by the barrier of waggons, and the brave defence made by the servants and camp-followers, which gave the knights time to arm, and enabled Douglas and the leaders to form the men-at-arms before Hotspur could reach their tents. The excellence of the position chosen by the Scottish earl was now apparent; for, taking advantage of the ground, he silently and rapidly defiled round the wooded eminence already mentioned, which completely concealed his march, and when the greater part of the English were engaged in the marsh, suddenly raised his banner, and set upon them in flank. It was now night; but the moon shone brightly, and the air was so clear and calm, that the light was almost equal to the day. Her quiet rays, however, fell on a dreadful scene; for Percy became soon convinced that he had mistaken the lodgings of the servants for those of their masters; and, chafed at the disappointment, drew back his men on firm ground, and encountered the Scots with the utmost spirit. He was not, indeed, so well supported as he might have been, as a large division of the English under Sir Mathew Redman and Sir Robert Ogle,[3] having made themselves masters of the encampment, had begun to plunder, and his own men were fatigued with their march; whilst the Scots, under Douglas, Moray, and March, were fresh and well-breathed. Yet, with all these disadvantages, the English greatly outnumbered the enemy; and in the temper of their armour and their weapons were far their superior.[4]

For many hours the battle raged with undiminished fury; banners rose and fell; the voices of the knights shouting their war-cries were mingled with the shrieks and groans of the dying, whilst the ground, covered with dead bodies and shreds of armour, and slippery with blood, scarce afforded room for the combatants, so closely

[1] Froissart, par Buchon, vol. xi. p. 385.
[2] Ibid. p. 384.
[3] Winton, vol. ii. p. 340.
[4] Froissart, par Buchon, vol. xi. p. 389.

were they engaged, and so obstinately was every foot of earth contested. It was at this time that Douglas, wielding a battle-axe in both hands, and followed only by a few of his household, cut his way into the press of English knights, and throwing himself too rashly upon the spears, was borne to the earth, and soon mortally wounded in the head and neck. Yet at this time none knew who had fallen, for the English pressed on; and a considerable interval elapsed before the Earls of March and Moray again forced them to give back, and cleared the spot where Douglas lay bleeding. Sir James Lindsay was the first to discover his kinsman; and, running up hastily, eagerly inquired how it fared with him. "But poorly," said Douglas. "I am dying in my armour, as my fathers have done, thanks be to God, and not in my bed; but if you love me, raise my banner and press forward, for he who should bear it lies slain beside me." Lindsay instantly obeyed; and the banner of the crowned heart again rose amid the cries of "Douglas!" so that the Scots believed their leader was still in the field, and pressed on the English ranks with a courage which at last compelled them to give way.[1] Hotspur, and his brother, Sir Ralph Percy, surrendered after a stout resistance; and along with them nearly the whole chivalry of Northumberland and Durham were either slain or taken. Amongst the prisoners were the Seneschal of York, the Captain of Berwick, Sir Mathew Redman, Sir Ralph Langley, Sir Robert Ogle, Sir John Lilburn, Sir Thomas Walsingham, Sir John Felton, Sir John Copland, Sir Thomas Abingdon, and many other knights and gentlemen,[2] whose ransom was a source of great and immediate wealth to the Scots. There were slain on the English side about eighteen hundred and sixty men-at-arms, and a thousand were grievously wounded.[3] We are informed by Froissart that he received his account of this expedition from English and Scottish knights who were engaged in it; and "of all the battles," says he, "which I have made mention of heretofore in this history, this of Otterburn was the bravest and the best contested; for there was neither knight nor squire but acquitted himself nobly, doing well his duty, and fighting hand to hand, without either stay or faintheartedness." And as the English greatly outnumbered the Scots, so signal a victory was much talked of, not only in both countries, but on the Continent.[4]

The joy which was naturally felt upon such an occasion was greatly overclouded by the death of Douglas. His conduct became the theme of universal praise; and his loss was the more lamented, as he had fallen in this heroic manner in the prime of manhood. All the soldiers mourned for him as their dearest friend; and the march to Scotland resembled more a funeral procession than a triumphant progress, for in the midst of it moved the car in which was placed the body of this brave man. In this manner was it conveyed by the army to the Abbey of Melrose, where they buried him in the sepulchre of his fathers, and hung his banner, torn and soiled with blood, over his grave.[5]

The causes of this defeat of Hotspur, by a force greatly his inferior, are not difficult to be discovered. They are to be found in the excellent natural position chosen by Douglas for his encampment; in the judicious manner in which it had been fortified; and in the circumstance of Percy attempting to carry it at first by a coup-de-main; thus rendering his archers, that portion of the English force which had ever been most decisive and destructive in its effects, totally useless.[6] The difficulties thrown in the way of the English by the entrenchment of waggons, and the defence of the camp followers, were of the utmost consequence in gaining time; and the sub-

[1] Froissart, par Buchon, vol. xi. pp 393-395. Winton, vol. ii. pp. 340-342.
[2] Ibid. vol. xi. p. 398.
[3] Ibid. vol. xi. p. 420
[4] Froissart, par Buchon, vol. xi. p. 401.
[5] Ibid. vol. xi. p. 422.
[6] Ibid. vol. xi. p. 389. "Et etoient si joints l'un à l'autre et si attachés, que trait d'archers de nul coté n'y avoit point de lieu."

sequent victory forms a striking contrast to the dreadful defeat sustained by the Scots at Dupplin in consequence of the want of any such precaution.[1] Even at Otterburn, the leaders, who were sitting in their gowns and doublets at supper when the first alarm reached them, had to arm in extreme haste; so that Douglas's harness was in many places unclasped, and the Earl of Moray fought all night without his helmet;[2] but minutes in such circumstances were infinitely valuable, and these were gained by the strength of the camp. One circumstance connected with the death of Douglas is too characteristic of the times to be omitted. His chaplain, a priest of the name of Lundie, had followed him to the war, and fought during the whole battle at his side. When his body was discovered, this warrior clerk was found bestriding his dying master, wielding his battle-axe, and defending him from injury. He became afterwards Archdeacon of North Berwick.[3]

On hearing of the defeat at Otterburn, the Bishop of Durham, who, soon after Percy's departure, had entered Newcastle with ten thousand men, attempted, at the head of this force, to cut off the retreat of the Scots; but, on coming up with their little army, he found they had again intrenched themselves in the same strong position, in which they could not be attacked without manifest risk; and he judged it prudent to retreat,[4] so that they reached their own country without further molestation. So many noble prisoners had not been carried into Scotland since the days of Bruce;[5] for although Hotspur's force did not amount to nine thousand men, it included the flower of the English Border baronage. The remaining division of the Scots, under the Earl of Fife, amounting, as we have seen, to more than a third part of the whole army, broke into England by the west marches, according to the plan already agreed on; and after an inroad, attended by the usual circumstances of devastation and plunder, being informed of the successful conclusion of the operations on the eastern border, returned without a check to Scotland.

It is impossible not to agree with Froissart, that there never was a more chivalrous battle than this of Otterburn: the singular circumstances under which it was fought, in a sweet moonlight night;[6] the heroic death of Douglas; the very name of Hotspur; all contribute to invest it with that character of romance so seldom coincident with the cold realities of history; and we experience in its recital something of the sentiment of Sir Philip Sidney, "who never could hear the song of the Douglas and Percy without having his heart stirred as with the sound of a trumpet." But it ought not to be forgotten that it was solely a chivalrous battle: it had nothing great in its motive, and nothing great in its results. It differs as widely in this respect from the battles of Stirling and Bannockburn, and from the many contests which distinguish the war of liberty, as the holy spirit of freedom from the petty ebullitions of national rivalry, or the desire of plunder and revenge. It was fought at a time when England had abandoned all serious designs against the independence of the neighbouring country; when the king, and the great body of the Scottish people, earnestly desired peace; and when the accomplishment of this desire would have been a real blessing to the nation: but this blessing the Scottish nobles, who, like their feudal brethren of England and France, could not exist without public or private war, did not appreciate, and had no ambition to see realised. The war originated in the character of this class, and the principles which they adopted; and the power of the crown, and the influence of the commons, were yet infinitely too feeble to check their authority; on the contrary, this domineering power of the

1 History, supra, p. 165.
2 Winton, p. 339.
3 Froissart, par Buchon, vol. xi. p. 393.
4 Ibid. vol. xi. p. 419.
5 Winton, vol. ii. p. 343.
6 It was fought on Wednesday, 5th August. M'Pherson's Notes on Winton, vol. ii. p. 516.

great feudal families was evidently on the increase in Scotland, and led, as we shall see in the sequel, to dreadful results.

But to return from this digression. The age and indolence of the king, and his aversion to business, appear to have now increased to a height which rendered it necessary for the parliament to interfere; and the bodily weakness of the Earl of Carrick, the heir-apparent, who had been injured by the kick of a horse, made it impossible that much active management should be intrusted to him. From necessity, more than choice or affection, the nation next looked to Robert's second son, the Earl of Fife; and in a meeting of the three estates, held at Edinburgh in 1389, the king willingly retired from all interference with public affairs, and committed the office of governor of the kingdom to this ambitious and intriguing man, who, at the mature age of fifty, succeeded to the complete management of the kingdom.[1] A deep selfishness, which if it secured its own aggrandisement, little regarded the means employed, was the prominent feature in the character of the new regent. His faults, too, were redeemed by few great qualities, for he possessed little military talent; and although his genius for civil government has been extolled by our ancient historians, his first public act was one of great weakness.

Since the defeat at Otterburn, and the capture of Hotspur, the Earl Marshal, to whom the English king had committed the custody of the marches, had been accustomed to taunt and provoke the Scottish Borderers to renew the quarrel, and had boasted that he would be ready to give them battle, if they would meet him in a fair field, though their numbers should double his. These were the natural and foolish ebullitions that will ever accompany any great defeat, and ought to have been overlooked by the governor; but, instead of this, he affected to consider his knightly character involved; and prepared to sacrifice the true interests of the country, which loudly called for peace, to his own notions of honour. An army was assembled, which Fife conducted in person, having along with him Archibald Douglas, and the rest of the Scottish nobles. With this force they passed the marches, and sent word to the Earl Marshal that they had accepted his challenge, and would expect his arrival; but, with superior wisdom, he declined the defiance; and, having intrenched himself in a strong position, refused to abandon his advantage, and proposed to wait their attack. This, however, formed no part of the project of the Scots, and they returned into their own country.[2] In such absurd bravadoes, resembling more the quarrels of children than any grave or serious contest, did two great nations employ themselves, misled by those ridiculous ideas which had arisen out of the system of chivalry, whose influence was now paramount throughout Europe.

Not long after this, a three-years' truce having been concluded at Boulogne between England and France, a mutual embassy of French and English knights arrived in Scotland, and having repaired to the court, which was then held at Dunfermline, prevailed upon the Scots to become parties to this cessation of hostilities; so that the king, who, since his accession to the throne, had not ceased to desire peace, enjoyed the comfort of at last seeing it, if not permanently settled, at least in the course of being established.[3] He retired soon after to one of his northern castles at Dundonald, in Ayrshire, where, on the 13th May 1390, he died at the age of seventy-four, in the twentieth year of his reign.[4] The most prominent features in the character of this monarch have been already described. That he was indolent, and fond of enjoying himself in the seclusion of his north-

[1] Fordun a Goodal, vol. ii. p. 414. He died n 1419, aged eighty.

[2] Fordun a Goodal, vol. ii. p. 414. Winton, vol. ii. p. 346.

[3] Rotuli Scotiæ, vol. ii. pp. 89, 99.

[4] Winton, vol. ii. pp. 350, 351. Some fine remains of this ancient castle still exist. Stat. Account, vol. vii. p. 619.

ern manors, whilst he injudiciously conferred too independent a power upon his turbulent and ambitious sons, cannot be denied: but it ought not to be forgotten that, at a time when the liberties of the country were threatened with a total overthrow, the Steward stood forward in their defence, with a zeal and energy which were eminently successful, and that he was the main instrument in defeating the designs of David the Second and Edward the Third, when an English prince was attempted to be imposed upon the nation. The policy he pursued after his accession, so far as the character of the king was then allowed to influence the government, were essentially pacific; but the circumstances in which the nation was placed were totally changed; and to maintain peace between the two countries became then as much the object of a wise governor as it formerly had been his duty to continue the war. Unfortunately, the judgment of the king was not permitted to have that influence to which it was entitled: and many years were yet to run before the two nations had their eyes opened to discern the principles best calculated to promote their mutual prosperity.

During the whole course of this reign, the agriculture of Scotland appears to have been in a lamentable condition—a circumstance to be traced, no doubt, to the constant interruption of the regular seasons of rural labour; the ravages committed by foreign invasion, and the havoc which necessarily attended the passage even of a Scottish army from one part of the country to another. The proof of this is to be found in the frequent liceuces which were granted by the English king, allowing the nobles and the merchants of Scotland to import grain into that country, and in the fact that the grain for the victualling of the Scottish castles, then in the hands of the English, was not unfrequently brought from Ireland.[1] But the commercial spirit of the country during this reign was undoubtedly on the increase; and the trade which it carried on with Flanders appears to have been conducted with much enterprise and activity. Mercer, a Scottish merchant, during his residence in France, was, from his great wealth, admitted to the favour and confidence of Charles the Sixth; and, on one occasion, the cargo of a Scottish merchantman, which had been captured by the English, was valued as high as seven thousand marks, an immense sum for those remote times.[2] The staple source of export wealth continued to consist in wool, hides, skins, and wool-fels. We have the evidence of Froissart, who had himself travelled in the country, that its home manufactures were in a very low condition.

[1] Rotuli Scotiæ, vol. i. pp. 963, 965, 966, 968, 975.

[2] Walsingham, p. 239.

NOTES AND ILLUSTRATIONS.

LETTER A, page 3.

Dr LINGARD, in his History of England, vol. iii. p. 119, observes, that "the Scottish king consented to an arrangement, by which, although he eluded the express recognition of feudal dependence, he seems to have conceded to Henry the whole substance of his demand." And the same acute historian has remarked, in the same volume, "that when the Scottish king received a grant of land in Tynedale and at Penrith, and consented to perform a new homage for these possessions, the question as to the homage demanded for Scotland was left undecided." I much question the accuracy of these statements; and if the reader will take the trouble to turn to the first volume of the Fœdera, pages 374 and 428, he will at once perceive the ground of my dissent. The legitimate inference to be drawn from the documents in Rymer is, that the question as to any homage due by Alexander the Second for his kingdom of Scotland was decided against Henry in 1237, and that the English king acquiesced in the decision; for it will be observed, the homage then paid was for his new acquisition,[1] and there is no reservation of the claim of homage for Scotland. Again it appears that this decision was virtually enforced and repeated in the charter granted by Alexander in 1244. Henry's demand had evidently been, that Alexander should perform homage to him *for his kingdom of Scotland*. Alexander, who at that time held lands in England, was reported, says Mathew Paris, to have "answered bitterly that he never did, and never would, hold a particle of land *in Scotland* under Henry,"[2] but he at the same time was ready to take the oaths to Henry as his liege lord. This surely cannot be called "a concession to Henry of the whole substance of his demand." The charter by Alexander the Second to Henry the Third, alluded to in the text, is as follows:—

"Alexander, Dei gratia, Rex Scotiæ, omnibus Christi fidelibus hoc scriptum visuris vel audituris, salutem:

"Ad vestram volumus pervenire notitiam, nos pro nobis et hæredibus nostris concessisse, et fideliter promisisse, charissimo et ligio Domino nostro Henrico Tertio, Dei gratia, Regi Angliæ illustri, Domino Hyberniæ, Duci Normanniæ et Aquitaniæ, et Comiti Andegaviæ, et ejus hæredibus, quod in perpetuum bonam fidem ei servabimus pariter et amorem:

"Et quod nunquam aliquod fœdus inibimus per nos, vel per aliquos alios, ex parte nostra, cum inimicis Domini Regis Angliæ, vel hæredum suorum, ad bellum procurandum vel faciendum, unde damnum eis, vel Regnis suis Angliæ et Hyberniæ, aut cæteris terris suis, eveniat, vel possit aliquatenus evenire, nisi nos injuste gravent:

"Stantibus in suo robore conventionibus inter nos et dictum Dominum Regem Angliæ initis ultimo apud Eboracum, in præsentia Domini Ottonis, tituli Sancti Nicholai in Carcere Tulliano, Diaconi Cardinalis, tunc Apostolicæ Sedis Legati in Anglia; et salvis conventionibus factis super matrimonio contrahendo inter filium nostrum et filiam dicti Domini Regis Angliæ:

"Et, ut hæc nostra concessio et pro-

[1] Rymer, Fœdera, vol. i. p. 376.

[2] Math. Paris, pp. 562, 568; and Hailes, vol i. p. 184.

missio, pro nobis et hæredibus nostris, perpetuæ firmitatis robur obtineant, fecimus jurare in animam nostram Alanum Ostiarium, Henricum de Bailloil, David de Lindesie, Willielmum Giffard, quod omnia prædicta, bona fide, firmiter, et fideliter observabimus.

"Et similiter jurare fecimus venerabiles patres David, Willielmum, Galfridum, et Clementem, Sancti Andreæ, Glasconensem, Dunkeldensem, et Dunblanensem, Episcopos.

"Et præterea fideles nostros, Patricium Comitem de Dumbar, Malcolmum Comitem de Fife, Malisium Comitem de Stratherne, Walterum Cumin de Meneteth, Willielmum Comitem de Mar, Alexandrum Comitem de Buchan, David de Hastingia Comitem Athorl, Robertum de Bruis, Alanum Ostiarum, Henricum de Bailloil, Rogerum de Mumbri, Laurentium de Abrinthia, Richardum Cumin, David de Lindesie, Richardum Siward, Willielmum de Lindesia, Walterum de Moravia, Willielmum Giffard, Nicolaum de Sully, Willielmum de Veteri Ponte, Willielmum de Bevire, Alcumum de Mesue, David de Graham, et Stephanum de Smingham, quod, si nos, vel hæredes nostri, contra concessionem et promissionem prædictam, quod absit, venerimus, ipsi, et hæredes eorum, nobis, et hæredibus nostris, nullum, contra concessionem et promissionem prædictam, auxilium vel concilium impendent, aut ab aliis pro posse suo impendi permittent.

"Imo bona fide laborabunt erga nos et hæredes nostros, ipsi et hæredes eorum, quod omnia prædicta a nobis et hæredibus nostris, necnon ab ipsis et eorum hæredibus, firmiter et fideliter observentur in perpetuum.

"In cujus rei testimonium, tam nos, quam prædicti prælati, Comites et Barones nostri, præsens scriptum sigillorum nostrorum appositione roboravimus.

"Testibus Prælatis, Comitibus, et Baronibus superius nominatis, anno Regni nostri, &c.

"*Ista signa apposita fuerunt incontinenti, scilicet Regis Scotiæ Alexandri, Willielmi de Bevire, Willielmi de Veteri Ponte, Willielmi de Lindesai, Stephani de Smingham.*

"*Aliorum sigilla apposita fuerunt postea. Et ipsum scriptum Regi Anglorum transmissum, ad natale Domini proximo sequens, per Dominum Priorem de Thinemua.*"

Letter B, page 5.

Rymer, Fœdera, page 326, new edit.—"We find that the Earl of Hereford, William de Fortibus, earl of Albemarle, and R. Walerand, seneschal, accompanied Gloucester and Maunsell. The Scottish barons, with whom they are directed to co-operate against the party of the Comyns, and who are proscribed as rebels, are Patricius Comes de Dunbar, Males Comes Straern, Nigellus Comes de Karrike, Robertus de Brus, Alexander Seneschallus Scotiæ, Alanus Hostiarius, David de Lindes, Willielmus de Brethun, Walterus de Murrenya, Robertus de Mesneres, Hugo Giffard, Walterus le Seneschal, Johannes de Crawford, Hugo de Crauford, and Willielmus Kalebraz."

Letter C, page 7.

Lord Hailes calls this assertion of the Comyns, that the king was in the hands of excommunicated persons, a hypocritical pretence. He forgot that, although in the nineteenth century we can despise the terrors of a sentence of excommunication, the Scottish barons could not treat it as lightly in the thirteenth; and that at this dark period the victims of such a sentence were regarded with universal horror. He adds, that when the same faction accused the queen of having excited her father "to invade Scotland, and extirpate the nation," they were circulating a slander which was basely devised to operate on the two great passions of the vulgar—fear and national pride. The words, "invade Scotland, and extirpate the nation," are marked as if they were a quotation from Mathew Paris. But, according to this author, p. 821, what the Comyns asserted was not that the young queen had advised her father to invade Scotland and extirpate the nation, but that "she had incited her father, the King of England, to come *against* them with an army in a hostile manner, and make a miserable havoc:" a charge strictly founded on fact.

Letter D, page 7.

I subjoin the treaty between the party of the Comyns, and Llewellyn, prince of Wales, taken from Rymer, vol. i. p.

653. The page in the text refers to the new edition of the Fœdera.

Littera continens quod Scoti et Wallenses non facient pacem cum Rege Angliæ sine mutuo consensu et assensu.

"Omnibus sanctæ Matris Ecclesiæ filiis, hoc scriptum visuris vel audituris, Walt. Cumin Comes de Meneth, Alex. Cumyn Comes de Buchan Justic. Scotiæ, Willielmus Comes de Mar, Willielmus Comes de Ros, Joannes Comyn Justiciar. Galwediæ, Aimeris de Makeswel, Camerarius Scotiæ, Fresekums de Moravia, Hug. et Walter. de Berkeleya fratres, Bernardus de Mohane, Riginaldus Cheyn, David Lochor, Johannes Dundemor, Willielmus de Erch, Ector de Barrit. et eorum amici præsentes et alligati universi, salutem:

"Noverint nos, anno Gratiæ millesimo ducentesimo quinquagesimo octavo, decimo octavo die mensis Martii, de communi nostrûm consensu et assensu, cum Domino Lewelino filio Griffini, Principe Walliæ, et David filio Griffini fratre suo, Vcino Grufud fil. Maduc Domino de Bromfeld, Maredud fil. Ris, Maredud filio Ovenir, Reso Jumori, Oweyn filio Maredud, Madant filio Wenwywym, Maredud Seis Lewelin, Vechan Owem, Mared filio Leweliner Domino de Methem, Owen filio Gruffud, Madant Parvo, Owen filio Bledyn, Howell filio Maredud, Elisse et Grufud filio Jornith, Gorone filio Edvenet; Jornith Grugman, Eumay Vechan, Tudar filio Mad, Enmaun filio Karaduc, Jornith filio Maredud, David filio Enviayn, Jenev Chich Roys filio Ednevet, et eorum amicis et alligatis, hanc fecisse conventionem mutuæ confœderationis et amicitiæ; videlicet:

"Quod, sine communi consensu et assensu præfatorum Principis et Magnatum, de cætero nullam pacem, aut formam pacis, treugam aut formam treugæ, faciemus cum Domino Rege Angliæ, aut aliquo Magnate Regni Angliæ, aut Regni Scotiæ, qui tempore confectionis præsentis scripti, præfatis Principi, et Magnatibus, et terris suis, et nobis contrarii extiterint et rebelles, nisi illi ad omnem hanc eandem considerationem pariter nobiscum tencantur.

"Nos etiam contra præfatos Principem et Magnates nullam potentiam, utpote exercitum equitum aut peditum, exire permittemus de Scotia; nec in aliquo contra ipsos præfato Regi Angliæ succursum præstabimus aut favorem; immo eisdem Principi et Magnatibus, et terræ suæ, fideliter auxiliantes erimus et consulentes.

"Et, si contingat quod cum Domino Rege Angliæ, aut quocunque viro, præfatis Principi, et Magnatibus, aut nobis, jam adversante, per Domini nostri Regis Scotiæ præceptum, pacem aut treugam inire compellamur; nos in bona fide, quantum poterimus et sciemus, ad præfatorum Principis, et Magnatum suorum, et terræ suæ commodum et honorem hoc fieri procurabimus cum effectu.

"Nequaquam de voluntate nostra, nisi per præfati Domini nostri districtam compulsionem hoc mandatum fuerit et præceptum, in aliquo contra præsentem confœderationem faciemus; immo Dominum nostrum, pro hac eadem confœderatione nobiscum facienda et observanda, quantum poterimus, inducemus.

"Mercatoribus etiam Walliæ, cum ad partes Scotiæ cum suis negotiationibus venire valeant, licentiam veniendi, et prout melius poterunt negotiationes suas vendendi, pacem etiam et protectionem nostram salvo et secure morandi, et sine quacumque vexatione, cum eis placuerit, recedendi, concedimus ex affectu.

"Mercatoribus etiam Scotiæ ad partes Walliæ, de licentia nostra, cum suis venire negotiationibus persuadebimus ex corde.

"Ad prædicta omnia et singula, in fide prædicti Domini Regis Scotiæ fideliter, integre, et illæse, et sine fraude et dolo, et in bona fide observanda, unusquisque nostrûm in manu Gwyd. de Bangr. Nuncii præfatorum Principis et Magnatum, fidem suam præstitit, et, tactis sacrosanctis Evangeliis, corporale sacramentum.

"In cujus rei testimonium huic scripto, per modum Cyrographi confecto, et penes præfatos Principem et Magnates remanenti, quilibet nostrûm sigillum suum fecit apponi.

"Prædicti vero Princeps et Magnates in manu Alani Yrewyn, Nuncii nostri, similiter præstitis fide sua, et tactis sacrosanctis Evangeliis, juramento, consimili scripto hujus confœderationis et amicitiæ, penes nos remanenti, in testimonium, singula sigilla sua apposuerunt."

LETTER E, page 28.

The letter of the "Community of Scotland, directed to Edward the First, from Brigham," is important and curi-

ous. It contains the names of the bishops, earls, abbots, priors, and barons of Scotland, as they stood in 1289. I subjoin it from the Fœdera, vol. ii. p. 471.

"*Litera Communitatis Scotiæ, per quam consulunt Regi Angliæ quod Matrimonium fiat inter Primogenitum suum et Natam Regis Norwegiæ, Hæredem Scotiæ; et etiam per quam petunt quod Rex Angliæ, concedat eis Petitionem suam, quam petituri sunt per Nuncios suos, in Parliamento ipsius Regis*

"A Tres noble Prince Sire Edward, par la grace de Deu, Roy de Engletere, Seygnur de Yrlaund, et Duk de Aquitain.

Guillame e Robert, par meme cele grace, *de Seint Andreu et de Glasgu Evesques.*

Johan Comyn, et
James Seneschal de Escoce, Gardeyns du Reaume de Escoce.

Maheu, Evesque de Dunkeldin,
Archebaud, Evesk de Moref,
Henry, Eveske de Abirdene,
Guillame, Evesque de Dunblain,
Marc, Evesque de Man,
Henry, Evesque de Gauway,
Guillam, Evesque de Brechin,
Alayn, Evesque de Catenes,
Robert, Evesque de Ros, et
Laurence, Evesque de Ergaythil.

Contes.

Maliz de Stratherne,
Patrick de Dunbar,
Johan Comyn de Buchan,
Dovenald de Mar,
Gilbert de Hunfrauvill de Angos,
Johan de Asteles,
Gauter de Mencteth,
Roberd de Brus de Carrik,
Guillam de Ros,
Maucolom de Lovenaus.
Guillam de Sotherland, et
Johan de Catenes.

Abbes.

De Kelquou,
De Meuros,
De Dunfermlin,
De Aberbrothok,
De la Seinte Croys,
De Cambuskinel,
De Kupre,
De Driburg,
De Neubotil,
De Passelay,
De Jedeworth,
De Londors,
De Balmorinauch,
De Glenluce,
De Kilwynnin,
De Incheafrau,
De Culros,
De Dundraynan,
De Darwonguill,
De Kinlos,
De Deer,
De Ylecolunkile, et
De Tungeland.

Priours.

De Seint Andreu,
De Coldingham, et
De Leasmahagu,
De Pluscardin,
De Beaulou,
De Hurward,
De Wytherne,
De Rustinoth,
De May,
De Cononby,
De Blantir.

Barons.

Roberd de Brus, Seygnur de Val de Anaunt,
Guillam de Moref,
Guillame de Soulys,
Alisaundre de Ergayl,
Alisaundre de Bayliol, de Kavers,
Geffray de Moubray,
Nichol de Graham,
Nichol de Lugir,
Ingeram de Bailiol,
Richard Siward,
Herbert de Macswell,
David le Mariscal,
Ingeram de Gynes,
Thomas Randolf,
Guillame Comyn, Seygnur de Kirketolauch,
Simon Fraser,
Renaud le Chen le Pere,
Renaud le Chen le Fitz,
Andreu de Moref,
Johannes de Soules,
Nichol de la Haye,
Guillam de la Haye,
Roberd de Cambron,
Guillam de Seincler,
Patrik de Grame,
Johannes de Estrivenli,

Johannes de Kalentir
Johan de Malevile,
Johan le Seneschal,
Johan de Glenesk,
Alisaundre de Bonkyll,
Bertram de Cardenes,
Dovenald le fit Can,
Magnus de Fetherith,
Roberd le Flemyng,
Guillam de Moref, de Drumsergard,
David de Betune,
Guillame de Duglas,
Alisaundre de Lyndeseye,
Alisaundre de Meneteth,
Alisaundre de Menevs,
Guillam de Muhaut,
Thomas de Somervill,
Johan de Inchemartin,
Johan de Vaus,
Johan de Moref,
Maucolom de Ferendrauch, et
Johan de Carniauch.

"Du Realme de Escoce saluz, et totes honors.

"Pour la vostre bone fame, et pur la droyture ke vous fetis si communement a tut, et pur le bon veysinage et le grant profit, que le Reaume de Escoce a resceu de vous, et voustre Pere, et de vous Auncestres, du tens cea en arere.

"Sumes nus mut leez et joyus de accones noveles, que *mult de gent parlent*, ke le Apostoyll deust aver otree et fet dispensacion, ke Mariage se puist fere entre mun *Sire Edward, vostre Fitz, et Dame Margarete Reyne de Escoce, nostres treschere Dame*, non ostant procheynette de Saunk; et prium vostre hautesee ke vous *plese certefier nous de ceste chose.*

"Kar, si la dispensacion graunte, vous seit grante, nus des hore, ke le mariage de eus face, otreom e nostre accord; et nostre assent ydonom; *et ke vous facez a nus les choses, que nos messages*, que nous enverrom a voustre Parlement, vous mustrunt de par nus, *que renables serrunt.*

"Et, si ele seit a purchacer, nus, pur les grant biens e profit, que purrunt de coe avenir al'un e le autre Reaume, mettrom volenters conseyl, ensemblement ovesque vous, coment ele seit purchace.

"E, pur ceste chose, e autres, ke tuchent l'estat du Reaume de Escoce, Sur queux nous aurom mester de aver seurte de vous; nous, avauntdyt Gardeyns, Evesques, Countes, Abbes, Priurs, e Barons, enveroms a vous, a Londres, a voustre *Parlement de Pasch prochein* avenir, de bone gent du Reaume de Escoce, pur nus et pur eus, et pur tote la Commune de Escoce.

"Et, en tesmonage des avauntdites choses, nous, Gardeyns du Reaume, Prelats, Countes, e Barones avauntdit, en nom de vous, et de tote la Commune, le Seel Comun, que nus usom en Escoce, en nom de nostre Dame avauntdyte, auvom fet mettre a ceste lettre.

"Done a Briggeham, le Vendredy procheyn a pres la Feste Seint Gregorie, le an le nostre Seygnur, 1289."

Letter F, page 46.

Lord Hailes is at a loss to settle the exact chronology of this surrender by Baliol, but Prynne enables us to do this with considerable accuracy. The scroll of the resignation was prepared at Kincardine on the 2d July. The penance took place in the churchyard at Strathkathro on the 7th of the same month;[1] and the deed recording it is of the same date: after which, on the 10th July, at the castle of Brechin, in the presence of Edward himself, Baliol made his final resignation, and a second instrument was drawn up exactly in the same terms as the scroll prepared at Kincardine. Bower, in his additions to Fordun, is evidently in an error when he states that Baliol underwent his penance and made his resignation at Montrose. Prynne, Edw. I. pp. 647, 650, 651. Baldred Bisset, the Scottish envoy at Rome, who was sent there to confute the claims of Edward to the superiority over Scotland, may perhaps have founded his accusation, that Edward had forged the instrument of Baliol's resignation, upon this discrepancy in the dates.

Letter G, page 47.

A Diary of the Expedition of Edward in the year 1296, preserved in the Cottonian Collection, gives the following account of his progress. It is chiefly valuable from its fixing dates and places, being extremely meagre in detail. It is written in old French, and is probably nearly coeval with the events it describes. The corruption of

[1] I find in Mr Chambers's agreeable work, entitled "The Picture of Scotland," vol. ii. p. 255, that the tradition of the country affirms the penance of Baliol to have been performed at Strathkathro.

the Scottish names in it is very great. It has been published in a valuable Miscellany edited by the Bannatyne Club.[1]

On the 28th March 1296, being Wednesday in Easter Week, King Edward passed the Tweed and lay in Scotland, At Coldstream Priory.
Hatton, or Haudene, March 29, Thursday.
Friday, being Good-Friday, 30th March. Sack of Berwick.
Battle of Dunbar, April 24, 26, 27.
Edward marches from Berwick to Coldingham, 28th April; to Dunbar.
Haddington, Wednesday, Even of Ascension, May 3.
Lauder, Sunday, May 6.
Rokesburgh, Monday, May 7, where Edward remained fourteen days.
Jedworth, May 23.
Wyel, Thursday, May 24; Friday, 25, to Castleton; Sunday, 27, again to Wyel.
Jedworth, Monday, May 28.
Rokesburgh, Friday, June 1.
Lauder, Monday, June 4.
Newbattle, Tuesday, June 5.
Edinburgh, Wednesday, June 6. Siege of Edinburgh.
Linlithgow, June 14.
Stirling, Thursday, June 14. At Outreard, June 20.
Perth, Thursday, June 21, where he remained three days.
Kinclevin, on the Tay, June 25.
Cluny, Tuesday, June 26. Abode there till July 1.
Entrecoit, Monday, July 2.
Forfar, Tuesday, July 3.
Fernwell, Friday, July 6.
Montrose, Saturday, July 7. Abode till the 10th.
Kincardine in the Mearns, Wednesday, July 11.
Bervie, Thursday, July 12.
Dunn Castle, Friday, July 13.
Aberdeen, Saturday, July 14.
Kinkell, Friday, July 20.
Fyvie, Saturday, July 21.
Banff, Sunday, July 22.
Invercullen, Monday, July 23.
In tents on the river Spey, district of Enzie, Tuesday, July 24.
Repenage, in the county of Moray, Wednesday, July 25.

[1] The Antiquarian Society of London have also printed the Diary, with a learned preface by Sir Harris Nicolas, in their Transactions. A coincidence of this kind shews that there is a valuable spirit of research at work in both countries.

Elgin, Thursday, July 26. Remained for two days.
Rothes, Sunday, July 29.
Innerkerack, Monday, July 30.
Kildrummie, Tuesday, July 31.
Kincardine in the Mearns, Thursday, August 2.
Brechin, Saturday, August 4.
Aberbrothoc, Sunday, August 5.
Dundee, Monday, August 6.
Baligarnach, the Redcastle, Tuesday, August 7.
St Johnston's, Wednesday, August 8.
Abbey of Lindores, Thursday, August 9. Tarried Friday.
St Andrews, Saturday, August 11.
Markinch, Sunday, August 12.
Dunfermline, Monday, August 13.
Stirling, Tuesday, August 14. Tarried Wednesday 15th.
Linlithgow, Thursday, August 16.
Edinburgh, Friday, August 17. Tarried Saturday 18th.
Haddington, Sunday, August 19.
Pykelton, near Dunbar, Monday, August 20.
Coldingham, Tuesday, August 21.
Berwick, Wednesday, August 22.

Having spent twenty-one weeks in his expedition.

Letter H, page 55.

Lord Hailes observes, p. 253, vol i., that "Buchanan, following Blind Harry, reports that the bridge broke down by means of a stratagem of Wallace." Buchanan, however, expressly says that the "bridge broke down either by the artifice of the carpenter who had loosened the beams, as our historians assert, or from the weight of the English horse, foot, and machinery."

Letter I, page 63.

Hemingford, vol. i. p. 165, says these compact bodies were in a circular form—"qui quidem circuli Schiltronis vocabantur." Schiltron seems to denote nothing more than a compact body of men. It is thus used by Barbour in his poem of "The Bruce," where he describes the battle of Bannockburn—

> "For Scotsmen that them hard essayed,
> That then were in a schiltrum all."

Walsingham, p. 75, affirms that Wallace fortified the front of his position with long stakes driven into the

ground, and tied together with ropes, so as to form a hedge. I find no mention of this in Hemingford; nor in Fordun, Winton, or Trivet. Walsingham's account is vague, and unlike truth. He tells us that Edward first commanded the attack to be made by the Welsh, and that they refused; upon which a certain knight addressed the king in two monkish rhyming verses, in Latin. Hemingford's narrative, on the other hand, which I have chiefly followed, is strikingly circumstantial and interesting. He describes the battle of Stirling as if he had the particulars from eye-witnesses; and Lord Hailes conjectures that this account of the battle of Falkirk was taken from the lips of some who had been present.

Letter K, page 64.

Trivet, p. 313, says these two religious knights were slain in the beginning of the battle; but I prefer the authority of Hemingford, p. 165, and Langtoft, p. 305-6. Lord Hailes, following Mathew of Westminster, p. 431, says that Bryan de Jaye was Master of the Knights Templars in England; but it is certain, from the Rotuli Scotiæ, 29 Edward I. mm. 12. 11., that he was Master of that Order in Scotland. We there find, "Brianus de Jaye, Preceptor Militiæ Templi in Scotia."

There is a long note in Hailes upon the battle of Falkirk, Annals, vol. i. p. 262. Its object is to prove that every account of the battle of Falkirk which has been given by Scottish historians, from Fordun to Abercromby, is full of misrepresentation, and, on this subject, the English historians are alone to be trusted. In these misrepresentations of the Scottish historians, he includes the assertion, "that there were disputes between Wallace and the Scottish nobles; that some of these nobles were guilty of treachery in abandoning the public cause; and that, on the first onset, the Scottish cavalry withdrew, without striking a blow."

That there was treachery among the Scottish nobles is, however, satisfactorily proved by Hemingford, an English historian. That the Scottish horse fled without striking a blow, "*absque ullo gladii ictu*," when the battle had just begun, is asserted by the same writer, Hemingford; yet, singular to say, this does not appear to Hailes to be anything like treachery. The Scottish cavalry were a body of a thousand armed horse, amongst whom were the flower of the Scottish knights and barons: are we to believe that these, from mere timidity, fled, before a lance was put in rest, and upon the first look of the English? But the note is also strikingly inconsistent with this author's own statement at p. 254, where, in giving an account of the feelings of the Scottish barons with regard to Wallace, he asserts that "his elevation wounded their pride; his great services reproached their inactivity in the public cause;" that it was the language of the nobility, "We will not have this man to rule over us;" and that "the spirit of distrust inflamed the passions and perplexed the counsels of the nation." This was the picture given by this historian of the sentiments of the Scottish nobles on 29th March 1298. Yet, when the Scottish historians observe that at the battle of Falkirk, only four months after this, the Scottish nobility were weakened by dissensions, and their army enfeebled by envy of Wallace, the account is deemed wholly incredible.[1]

Letter L, page 65.

"Wherfor the Kyng, upon the Maudelyn day,
At Fowkyrke fought with Scottes in great array.
Where Scottes fled and forty thousand slaine;
And into Fiffes he went, and brent it clene,
And Andrew's toune he wasted then full plaine;
Blackmanshyre and Menteth, as men mene,
And on the ford of Tippour, with host I wene,
Bothvile, Glasgowe, and to the toune of Are,
And so to Lanarke, Lochmaban, and Annand there."

—Hardynge's Chronicle, 8vo, London, 1543, fol. clxv.

Letter M, page 68.

The negotiations between Philip and Edward, in 1297, on the point of including the kingdom of Scotland under the truce and pacification entered into at Tournay, were unknown to Lord Hailes, as the document which contains so full and explicit an account of them was not published at the time he wrote his history. They throw an important

[1] See Mr Aikman's Translation of Buchanan's History, (pages 410, 413, and 416,) for some remarks on Lord Hailes' accounts of the battles of Falkirk and Roslin, and his apology for Menteith.

light on the conduct of Comyn, and the higher Scottish nobility, who refused to join Wallace in his resistance to Edward; as they prove that one motive for their refusal might be the hope that Philip's representations would induce Edward to include them and their country in the articles of truce, and in the subsequent treaty of peace, of which these articles were understood to be the basis. Even so late as the battle of Falkirk, July 22, 1298, Comyn, who drew off his vassals, and took no part in the day, might have indulged some hope that Philip's mediation, and the representations of the Pope, would succeed in restoring peace to Scotland, and thus save his own lands, and the estates of the Scottish nobles. For Edward did not give his final answer, by which he totally excluded Scotland, and all its subjects, from the articles of truce and pacification, till the 19th August 1298, (Rymer, vol. i. new edit. p. 898,) when he was in camp at Edinburgh. At the same time, although these negotiations give some explanation of the motives which might have influenced the nobles of Scotland in refusing to act with Wallace, they afford no excuse for their weak and selfish conduct.

Letter N, page 75.

This account of the battle of Roslin is taken from the English historians, Hemingford, Trivet, and Langtoft, and from our two most valuable and authentic Scottish historians, Winton and Fordun. Lord Hailes, who generally follows the English historians, has given a description of the battle in the shape of a critical note. He appears not to have consulted, when he composed his text, the curious and minute account given by Langtoft, vol. ii. p. 319, although he afterwards quotes him in the corrections and additions. So far from attempting to throw any veil over the events of the day, Langtoft is open and candid as to the entire defeat of the English. The same historian has fallen into a mistake, when he states the fact, in saying that Segrave, instead of falling back, rashly advanced and attacked the Scots. Segrave was surprised and attacked in his encampment by the Scots; and so complete was the surprise, that his son and brother were taken in bed. As to the ridiculous story of Sir Robert Neville miraculously retrieving the day, and the invulnerable qualities conferred on those present at mass, it is a monkish tale, utterly unworthy of belief, as Langtoft informs us that Neville was slain. There is some inconsistency in the manner in which this historian has recounted the battle of Roslin. He was aware, he tells us, that the English historians, whom he follows, gave a partial account; yet this account he incorporates into his text. He has brought no well-grounded argument against the narrative of Winton and Fordun, which is supported by the English historian, Langtoft; yet he insinuates that the Scottish historians *may* have exaggerated the successes of the Scottish army at Roslin; and with this affectation of superiority to national prejudice, he quietly passes them over. Tyrrel, vol. iii. p. 153, says, quoting Walsingham and the Chron. Abingdonense, that Wallace headed the Scots in this battle; but I find no authority in the Scottish writers for such an assertion.

Letter O, page 77.

The fortalice at Lochindorb is thus described by Mr Lewis Grant, in his Account of the Parish of Cromdale:—"A thick wall of mason work, twenty feet high even at this period, and supposed to have been much higher, surrounds an acre of land within the loch, with watch-towers at every corner, all entire. The entrance to this place is a gate built of freestone, which has a grandeur in it easier felt than expressed. Several vestiges of houses are found within the walls, besides those of a church, which, without difficulty, can still be traced in the ruins. Great rafts, or planks of oak, by the beating of the waters against the old walls, occasionally make their appearance. Tradition says, and some credit is due to the report, that the particular account of this building was lost in the days of King Edward the First of England." Had the worthy clergyman who wrote this studied the history of Scotland in Fordun, infinitely the most valuable of all our historians, he would there have found that Edward, "in propria persona ad Lochindorb pervenit, et ibidem aliquamdiu moram faciens, partes boreales ad pacem cepit." It is very delightful to find tradition thus throwing its shadowy reflection upon history, and history its clear and certain light upon tradition.

LETTER P, page 77.

Kildrummie, of which there are still considerable remains, will be found described in Stat. Account, vol. xviii. p. 416.—Edward's progress, as ascertained by dates and authentic instruments in Rymer and Prynne, was as follows:—

Newcastle, 7th May.—Prynne, p. 1016.
Morpeth, 9th May.—Prynne, pp. 1015, 1016.
Rokesburgh, 21st May.—Prynne, p. 1017.
Edinburgh, 4th June.
Linlithgow, 6th June.—Rymer, vol. ii. old edit. p. 931.
Perth, 10th June.—Rymer, vol. ii. p. 934.
Clackmannan, 12th June.
Perth again, 28th June.—Prynne, p. 1016.
Same town, 10th July.—Prynne, p. 1009.
Kincardine, 17th August.—Prynne, p. 1012.
Aberdeen, 24th August.
Banff, 4th September.—Prynne, p. 1021.
Kinloss, in Moray, 20th September.
Kildrummie, 8th October.—Prynne, p. 1017.
Kinloss again, 10th October.
Dundee, 20th October.—Prynne, p. 1015.
Cambuskynel, 1st November.—Prynne, p. 1022.
Kinross, 10th November.
Dunfermline, 11th December.

LETTER Q, page 78.

Lord Hailes observes, vol. i. p. 276, that "the Scots fondly imagined that Edward would attempt to force the passage, as the impetuous Cressingham had attempted in circumstances not dissimilar; but," he adds, "the prudence of Edward frustrated their expectation; having discovered a ford at some distance, he passed the river at the head of his whole cavalry." This is quite erroneous; and Trivet, p. 337, whom he quotes on the margin as his authority, says something very different. He tells us, that Edward *did intend to pass the river by the bridge*, which, on his arrival, he found had been already destroyed by the Scots, that all passage thereby might be cut off. Baulked in his expectation, "Edward pitched his tents and prepared for dinner, when John Comyn approached on the opposite bank with the whole power of the Scots; upon whose appearance the English army, seizing their arms, mounted their horses, and with these the king himself, entering the river, found, by the direction of the Lord, a ford for himself and his soldiers." Edward, therefore, whose prudence Lord Hailes commends, because he did not imitate the impetuous Cressingham, had actually intended to follow his example, and pass the river by the bridge; and the Scots, whom he represents as fondly imagining he would do so, evidently entertained no such idea, because they burnt the bridge to prevent him from passing the river.

LETTER R, page 78.

Much as I respect the ability of Dr Lingard, I cannot altogether acquit him of prejudice in his narrative of Scottish affairs. Speaking, p. 328, vol. iii., of the conditions offered by Edward to Comyn, the Bishop of Glasgow, Sir Simon Fraser, and the rest, he adds,—"When the rest of his countrymen made their peace with England, his (that is, Wallace's) interests were not forgotten. It was agreed, *that he also* might put himself on the pleasure and grace of the king, if he thought proper;" and he adds this note—"Et quant a Monsieur Guilliam de Galeys est accordé qu'il se mette en la volunte, et en la grace notre le Seigneur le Roi, si lui semble que bon soit." Lord Hailes "thinks it doubtful whether the words 'si lui semble' refer to Wallace or the king; but they evidently refer to Wallace. *The offer is made in the same manner* to the Bishop of Glasgow, the Steward, &c., 'si lour semble que bon soit.'" By these expressions of the historian, the reader might be led to believe that Edward's conduct to his Scottish rebels was not ungenerous or harsh; and that to Wallace, the same, or nearly the same, terms were offered as to the rest of his countrymen. This is the impression made by the words, "it was *agreed that he also*," and by the observation, "the offer is made in the same manner." But it is proved by a state paper published in Prynne's Edward the First, pp. 1119, 1120, that to Comyn, the Bishop of Glasgow, Sir Simon Fraser, and the rest, Edward expressly stipulated, "*that their life and limbs should be safe*—that they *should not suffer*

punishment or lose their estates—and that the ransom they should pay, and the fines to be levied on them for their misdemeanours, should be referred by them to the good pleasure of the king." This last condition related only to Comyn, and those who surrendered themselves along with him. Wishart the Bishop of Glasgow, Sir Simon Fraser, James the Steward of Scotland, John Soulis, and a few others, were promised security for life and limb, freedom from imprisonment, and that they should not lose their lands; but, according to their degrees of guilt in Edward's mind, a fine of more or less extent, and a banishment for a longer or shorter time, was inflicted on them; which conditions they were to accept, no doubt, "if to them seemed proper;" "*si lour semble que bon soit.*" And what, by the same authentic deed, was promised to Wallace? The terms were, *an unconditional surrender of himself to the will and mercy of the king*, terms which every man knows were almost equivalent to a declaration, that he was doomed to be executed the moment he was taken; and yet Dr Lingard gravely tells us, "Wallace's interests were not forgotten." Had he turned to Langtoft, p. 324, he would have found, that Wallace did, like the rest, propose to surrender himself, on the assurance of safety in life, limbs, and estate; but that Edward cursed him by the fiend for a traitor, and set a price of three hundred marks on his head. This was an attention to his interests with which, we may presume, he would willingly have dispensed.

Letter S, page 81.

The best, and evidently the most authentic, accounts of this memorable siege, are to be found in Langtoft's Chronicle, in Hemingford, Trivet, and Walsingham. Math. Westminster, in his turgid work, entitled "The Flowers of History," has given us a lengthy narrative, interwoven with speeches of his own composition, which he puts into the mouth of Edward. The last scene of the surrender of Olifant is in King Cambyses' vein; but there is a great want of keeping in Mathew's composition. Edward, on receiving the suppliants, and hearing their appeal to his mercy, tells them it is his pleasure that they should be hanged and quartered; after which he burst into tears. The names of the leaders in this defence of Stirling are preserved in Rymer. They are the following:—

Domini Willielmus Olyfard,
Willielmus de Dupplyn, milites,
Fergus de Ardrossan,
Robinus de Ardrossan, frater ejus,
Willielmus de Ramseya,
Hugo de Ramseya,
Radulfus de Haleburton,
Thomas de Knellhulle,
Thomas Lellay,
Patricius de Polleworche,
Hugo Olyfard,
Walterus Olyfard,
Willielmus Gyffard,
Alanus de Vypont,
Andreas Wychard,
Godefridus le Botiller,
Johannes le Naper,
Willielmus le Scherere,
Hugo le Botiller,
Joannes de Kulgas,
Willielmus de Anant,
Robertus de Ranfru,
Walterus Taylleu,
Simon Larmerer,
Frater Willielmus de Keth ordinis Sancti Dominici Prædicatorum,
Frater Petrus de Edereston de domo de Kelsou ordinis Sancti Benedicti.

—Rymer, Fœdera, new edit. p. 966.

The capitulation is dated July 24, 1304.

Letter T, page 82.

The fact, that Wallace's four quarters were sent to different parts of Scotland and England, is mentioned by most ancient historians; but I find the notice of the towns to which they were sent in the MS. Chron. of Lanercost, a valuable historical relic preserved in the library of the British Museum, (Cotton Library, Claudian D. vii. Art. 13),[1] some extracts from which were communicated by Mr Ellis to Dr Jamieson. See Preliminary Remarks to Wallace, p. 12. This is the passage—"Captus fuit Willelmus Waleis per unum Scottum, scilicet per Dominum Johannem de Mentiphe, et usque London ad Regem adductus, et adjudicatum fuit quod traheretur, et suspenderetur, et decollaretur, et membratim divideretur, et quod viscera ejus comburerentur, quod

[1] Since printed by the Maitland Club, and one of their most valuable works.

factum est; et suspensum est caput ejus super pontem London, armus autem dexter super pontem Novi Castri super Tynam, et armus sinister apud Berwicum, pes autem dexter apud villam Sancti Johannes, et pes sinister apud Aberdene."—Fol. 211. See also "Illustrations of Scottish History," p. 54, edited by Joseph Stevenson, Esq., a valuable work presented to the Maitland Club, by Mr Steven of Polmadie.

LETTER U, page 83.

Lord Hailes was fond of displaying his ingenuity in whitewashing dubious characters; and his note upon Sir John Menteith is an instance of this. He represents the fact, that his friend Menteith betrayed Wallace to the English, as founded upon popular tradition, and the romance of Blind Harry, Wallace's rhyming biographer; whom, he adds, every historian copies, but none but Sir Robert Sibbald ventures to quote; and, in his Corrections and Additions, he observes, that "his Apology for Menteith has been received with wonderful disapprobation by many readers, because it contradicts vulgar traditions, and that most respectable authority, Blind Harry."

In reply to this it may be observed, that the fact of Wallace being betrayed and taken by Sir John Menteith is corroborated by a mass of ancient historical authority, both from English and Scottish writers, superior to what perhaps could be brought for most other events in our history; and that as these writers lived long *before* Blind Harry, he may have copied from them, but it is impossible they could have copied from him. I shall shortly give the English and Scottish authorities for the fact, and leave the reader to make his own inferences.

We have already seen, from the last note, that the Chronicle of Lanercost Priory, a valuable MS. of the thirteenth century, preserved in the British Museum, Claudian D. vii. 13, and now printed by the Maitland Club, has this passage:—"Captus fuit Willelmus Waleis *per unum Scottum, scilicet per Dominum Johannem de Mentiphe*, et usque London ad Regem adductus, et adjudicatum fuit quod traheretur, et suspenderetur, et decollaretur."[1] We cannot be surprised that Lord Hailes should have been ignorant of this passage, as he tells us, Annals, vol. ii. p. 316, he had not been able to discover where the MS. Chronicle of Lanercost was preserved.

The next piece of evidence, of Menteith's having seized Wallace, is contained in Leland's extract from an ancient MS. chronicle, which Hailes has elsewhere quoted. I mean the Scala Chronicle, preserved in Corpus Christi Library, Cambridge.[2] In Leland's Collect. vol. i. p. 541, we have this passage from the Chronicle:—"*Wylliam Waleys was taken of the Counte of Menteth about Glaskow*, and sent to King Edward, and after was hangid, drawn, and quarterid at London." This is Leland's translation of the passage, which in all probability is much more full and satisfactory in the original. Yet it is quite satisfactory as to Menteith's guilt.

The next English authority is Langtoft's Chronicle, which Hailes has himself quoted in his Notes and Corrections, vol. ii. p. 346. It is curious, and, as to Menteith's guilt, perfectly conclusive:—

"Sir Jon of Menetest sewed William so nehi,
He took him when he wend lest, on nyght his leman bi;
That was thorght treson of Jak Schort his man;
He was the encheson, that Sir Jon so him nam."—P. 329.

We learn from this, that Sir John Menteith prevailed upon Wallace's servant, Jack Short, to betray his master; and came, under cover of night, and seized him in bed, "his leman by," and when he had no suspicion of what was to happen. How Hailes, after quoting this passage, which was written more than two centuries before Blind Harry, should have represented this poor minstrel as the only original authority for the guilt of Menteith, is indeed difficult to determine.

Fordun, who must have been born in the earlier part of the reign of Robert the First, received materials for his history from Wardlaw, bishop of Glasgow. This prelate died in 1386. Say that Fordun concluded his history in 1376, ten years before Wardlaw's death, it will follow that it was ninety-four years before the poem of Blind Harry, the date of whose poem is somewhere

[1] Chronicle of Lanercost, p. 203.

[2] Since this printed by the Maitland Club. The passage will be found at p. 126.

about 1470. Let us hear how he speaks of the death of Wallace :—

"Anno Domini M.CCCV., Willelmus Wallace *per Johannem de Menteth fraudulenter et prodicionaliter capitur*, Regi Angliæ traditur, Londoniis demembratur."—Vol. iv. p. 996.

Winton, against whose credit as a historical authority Hailes could not possibly have objected, finished his chronicle in 1418, fifty-two years before Blind Harry's poem was written. Yet Winton thus speaks of the capture of Wallace, vol. ii. p. 130 :—

"A thousand thre hundyr and the fyft yere
Efter the byrth of our Lord dere,
Schyre Jon of Menteth in tha dayis
Tuk in Glasco Willame Walays."

And the chapter where this is mentioned is entitled—

"*Quhen Jhon of Menteth in his dayis,*
Dissawit gud Willame Walays."

Bower, the continuator of Fordun, and who possessed his manuscripts, was born in 1385, and is generally believed to have published his continuation about 1447, sixty-two years before Blind Harry's poem. He preserves, however, the very words of his master Fordun, as to the guilt of Menteith, and afterwards refers to him in some additions of his own, as the acknowledged traitor who had seized Wallace. Vol. ii. pp. 229, 243.

With these authors—Fordun, Winton, and Bower—Lord Hailes was intimately acquainted. He has, indeed, quoted the last of them, Bower, on the margin. He must have known that they were dead before the author of the Metrical Romance of Wallace was born. Annals, vol. i. p. 281. And yet he labours to persuade the reader that the tale of Wallace's capture by Menteith rests on the single and respectable authority of Blind Harry! He has also remarked, that he has yet to learn that Menteith had ever any intercourse or friendship and familiarity with Wallace. Whether there was any friendship or familiarity between Menteith and Wallace is not easily discovered, and is of little consequence ; yet that Menteith acted in consort with Wallace, and must therefore have had intercourse with him, is proved by the following passage from Bower, preserved in the Relationes Arnaldi Blair : —"In hoc ipso anno (1298) viz. 28 die mensis Augusti, Dominus Wallas Scotiæ custos, cum Johanne Grahame, et Johanne de Menteith, militibus necnon, Alexandro Scrymgeour, Constabulario villæ de Dundee et vexillario Scotiæ, cum quinquagentis militibus armatis, rebelles Gallovidienses punierunt, qui Regis Angliæ et Cuminorum partibus sine aliquo jure steterunt."[1]

Having given these authorities, all of them prior to Blind Harry, it is unnecessary to give the testimony of the more modern writers. The ancient writers prove incontestably, that Sir John de Menteith, a Scottish baron, who had served along with and under Wallace against the English, deserted his country, swore homage to Edward, and employed a servant of Wallace to betray his master into his hands ; that he seized him in bed, and delivered him to Edward, by whom he was instantly tried, condemned, and hanged. Yet all these circumstances are omitted by Lord Hailes, who appears surprised that vulgar tradition should continue from century to century to execrate the memory of such a man.

Dr Lingard, in his History of England, vol. iii. pp. 328, 329, has attempted to diminish the reputation of Wallace. He remarks, that he suspects he owes his celebrity as much to *his execution* as to his exploits ; that of all the Scottish chieftains who deserved and experienced the enmity of Edward, *he alone* perished on the gallows; and that on this account his fate monopolised the sympathy of his countrymen, who revered him as the martyr of their independence ; he represents the accounts of his strength, gallantry, and patriotic efforts, as given by Scottish writers who lived a century or two after his death, and who therefore were of no credible authority ; and he concludes with an eulogy on the clemency of Edward, who did not forget the interests of Wallace when the rest of his countrymen made their peace with England. These observations will not bear examination ; for, first, it is a mistake to say, that of all the Scottish chieftains who deserved Edward's enmity, Wallace was the only one who perished on the gallows. Sir Nigel Bruce, Sir Christopher Seton, John Seton, the Earl of Athole, Sir Simon Fraser, Sir Herbert de Morham, Thomas Boys, Sir David Inchmartin,[2]

[1] Dr Jamieson, in his Notes on Wallace, p. 403, has ably combated the scepticism of Hailes as to Menteith. The above passage is quoted from the Relationes Arnaldi Blair, and seems to have been a part of Bower's additions to Fordun.

[2] See supra, pp. 94-97.

Sir John de Somerville, Sir Thomas and Sir Alexander Bruce, both brothers of the king, and Sir Reginald Crawfurd, were all hanged by Edward's orders in the course of the year 1306, within a year of the execution of Wallace. So utterly untenable is the ground on which Dr Lingard has founded his conjecture, that Wallace owes his celebrity "to his execution."

His next remark is equally unfortunate. The writers who have given us an account of the exploits of Wallace, did not live, as he imagines, a century or two after his death. John de Fordun, whom the historian, in his note on p. 328, includes amongst these writers, was born, as we have said, early in the reign of King Robert Bruce. He certainly received materials for his history from Bishop Wardlaw, who died in 1386. If we suppose that he began his history thirty years before, and that he was thirty years old when he commenced writing, this will give us 1326 for the year of his birth. So that Fordun was born twenty-one years after Wallace's execution. Even in the most favourable possible way in which the calculation can be taken, Fordun wrote his history only eighty-one years after Wallace's execution; and taking fifty as the average life, it will follow he was born only thirty-one years after that event. Winton finished his history in 1418. He was born probably not more than fifty or sixty years after Wallace's death, and might have received his information from old men who had known him.

As to Dr Lingard's praise of the clemency of Edward towards Wallace, the unsubstantial grounds on which it is founded have been already noticed;[1] but I cannot help remarking, that this historian's whole account of Wallace does little justice to this great man. He begins by throwing a doubt over his early history. "Historians conjecture," he says, "that Wallace was born at Paisley, and they assert that his hostility to the English originated more in the necessity of self-preservation than the love of his country. He had committed a murder, and fled from the pursuit of justice to the woods." Such may be the vague assertion of the English historians; but Bower, an excellent authority, intimates a contrary opinion. He asserts that Wallace's hostility to the English arose from his despair at beholding the oppression of his relations and countrymen, and the servitude and misery to which they were subjected. Fordun a Goodal, vol. ii. p. 169.

He next observes, that after the surprise of Ormesby the Justiciary, by Wallace and Douglas, other independent chieftains arose in different counties, who massacred the English, and compelled their own countrymen to fight under their standards. These other independent chieftains are unknown to the contemporary historians, English or Scottish. But they do not appear upon the stage without a use. On the contrary, they first multiply, like Falstaff's men in buckram, "into numerous parties," and then act a principal part in the next sentence; for the historian goes on to observe, "that the origin and progress of *these numerous parties* had been viewed with secret satisfaction by the Steward of Scotland and Wishart the Bishop of Glasgow, who determined to collect them into one body, and to give their efforts one common direction. Declaring themselves the assertors of Scottish independence, they invited the different leaders to rally around them; and the summons was obeyed by Wallace and Douglas, by Sir Alexander Lindsay, Sir Andrew Moray, and Sir Richard Lundy."—Vol. iii. p. 305. This last sentence has not, as far as I can discover, a shadow of historical authority to support it. The numerous independent parties and chieftains who rose in different counties; the secret satisfaction with which they were contemplated by the Bishop of Glasgow and the High Steward; their determination to collect them into one body, and to give them one common direction; their declaring themselves the assertors of Scottish independence; their summons to the different leaders to rally round them, and the prompt obedience of this summons by Wallace, Douglas, and the rest—are not facts, but the vivid imaginations of the historian: and the impression they leave on the mind of the reader appears to me to be one totally different from the truth. The Steward and the Bishop of Glasgow are the patriot chiefs under whom Douglas and Wallace, and many other independent chieftains, consent to act for the recovery of Scottish freedom, and Wallace sinks down into the humble partisan, whose talents are directed by their superior authority and wisdom. Now, the fact was just the reverse of this. The Steward and Wishart, encouraged

[1] Page 360, letter R.

by the successes of Wallace and Douglas, joined their party, and acted along with them in their attempt to free Scotland; but neither Fordun nor Winton nor Bower give us the slightest ground to think that they acted a principal part, or anything like a principal part, in organising the first rising against Edward. On the contrary, these historians, along with Trivet and Walsingham, Tyrrel and Carte, ascribe the rising to Wallace alone, whose early success first caused him to be joined by Douglas, and afterwards by the Bishop and the Steward, along with Lindsay, Moray, and Lundy. Indeed, instead of playing the part ascribed to them by Dr Lingard, the patriotism of the Steward and the Bishop was of that lukewarm and short-lived kind which little deserves the name. It did not outlive eight weeks, and they seized the first opportunity to desert Wallace and the cause of freedom. The attack upon Ormesby the Justiciary took place some time in May 1297; and on the 9th of July of the same year did Bishop Wishart negotiate the treaty of Irvine, by which he and the other Scottish barons, with the single exception of Wallace and Sir Andrew Moray of Bothwell, submitted to Edward. The historian's other hero, the High Steward, who is brought in to divide the glory with Wallace, was actually in the English service at the battle of Stirling; and although he secretly favoured the Scottish cause, he did not openly join with his countrymen till he saw the entire destruction of Surrey's army. I may remark in concluding this note, that the idea of an attack upon Wallace, and an eulogy of the clemency of Edward, was perhaps suggested by Carte, vol. ii. p. 290; but his clumsy and absurd argument is discarded, and a more ingenious hypothesis is substituted in its place. On reading over Hemingford again, I find one expression which may perhaps have had some weight with Dr Lingard. This historian says, speaking of Bruce, p. 120, that he joined the Bishop of Glasgow and the Steward, "qui tocius mali fabricatores exstiterant." Yet this is inconsistent with his own account in p. 118, and is not corroborated, as far as I know, by any other historian. The reader will find some additional remarks in vindication of Menteith in my friend Mr Napier's excellent Life of his great ancestor, the inventor of the Logarithms, pp. 527–534.

Letter V, page 89.

A MS. in the Cottonian, Vitell. A xx, entitled "Historia Angliæ a Bruto ad ann. 1348," has this passage:—"Anno 1306, Kal. Feb. Robertus de Brus ad regnum Scotiæ aspirans, nobilem virum, J. de Comyn, quod sæ proditioni noluit assentire, in Ecclesia fratrum minorum de Dumfres interfecit; et in festo annuntiationis Virginis, gloriose in Ecclesia Canonicorum regularium de Scone, per Comitissam de Bohan, se fecit in regem Scotiæ solemniter coronari. Nam germanus predicte comitisse, cui hoc officium jure hereditario competebat, tunc absens in Anglia morabatur. Hanc Comitissam eodem anno Angli ceperunt, et in quadam domuncula lignea super murum Castri Berwyki posuerunt, ut eam possent conspicere transeuntes." The original order of Edward for the imprisonment of the Countess of Buchan is to be found in Rymer, Fœdera, vol. ii. p. 1014. Lord Hailes treats the tale of the Countess of Buchan's criminal passion for Bruce with ridicule. If, however, we admit the fact, that the Countess of Buchan, whose brother was in the English interest, and whose husband, according to Hemingford, vol. i. p. 221, was so enraged that he sought to kill her for her treason, did, alone and unaccompanied, repair to Scone, and there crown Bruce, it seems to give some countenance to the story of her entertaining a passion for the king. The circumstance that nothing of this second coronation is to be found in the Scottish historians, Barbour, Winton, or Fordun, rather confirms than weakens the suspicion.

Letter W, page 94.

"Hanc autem Comitissam eodem anno ab Anglicis captam cum quidam perimere voluissent, non permisit rex, sed in domuncula quadam lignea super murum Castri Berewici posita est, ut possent eam transeuntes conspicere."—Trivet, p. 342. Lord Hailes, vol. ii. p. 10, has given an elaborate note to prove the impossibility of there being any truth in Math. Westminster's assertion, p. 455, "that the countess was in open day suspended at Berwick in a stone and iron chamber, formed like a crown, as a gaze to all passengers." He quotes the order preserved in the Fœdera, vol. ii. p. 1014, and then observes, that it is incon-

sistent with the story related by Math. Westminster. I confess that I can see no such inconsistency; on the contrary, the one seems completely to corroborate the other. The place of confinement, as described in the express words of Edward, is "to be *a cage* constructed *in one of the turrets of the castle of Berwick*, latticed with wood, cross-barred, and secured with iron, in which the Chamberlain of Scotland, or his deputy, shall put the Countess of Buchan." Lord Hailes observes, that "to those who have no notion of any cage but one for a parrot, or a squirrel, hung out at a window, he despairs of rendering this mandate intelligible." I know not what called forth this querulous remark; but any one who has observed the turrets of the ancient Scottish castles, which hung like cages, on the outside of the walls, and within one of which the countess's cage was to be constructed, will be at no loss to understand the tyrannical directions of Edward, and the passage of Mathew Westminster. It is worthy of observation, that, in his text, Lord Hailes has wholly omitted to notice the severity of Edward the First to the Countess of Buchan, simply stating, that she was committed to close confinement in England, and characterising Edward's orders as being ridiculously minute. Dr Lingard, vol. iii. p. 377, softens the severity of Edward by a supposition, which appears to me to be inconsistent with the tone and spirit of Edward's order.

LETTER X, page 95.

We know by the evidence of a remission under the Great Seal, communicated by Mr Thomson, the Deputy-Clerk Register, to Dr Jamieson, that the delivery of Sir Christopher Seton to the English was imputed to Sir Gilbert de Carrick, but, upon investigation, not altogether justly, "minus juste ut verius intelleximus;" and the same remission proves that the castle of Lochdon was, by the same knight, Sir Gilbert de Carrick, deliverd into the hands of the English. Mr Thomson considers the remission as shewing for certain that Sir Christopher had taken refuge in the castle of Lochdon, of which Sir Gilbert de Carrick was hereditary keeper; but this is rather a strong inference than a certainty. The conjecture of the Statistical Account, vol. xi. No. 4, Parish of Urr, in favour of the castle of Loch Urr, seems to be supported by pretty plausible evidence.

LETTER Y, page 96.

Dr Lingard observes that some of them were murderers. I know not on what authority he uses the plural "some of them." Sir Christopher de Seton, indeed, is represented by Hemingford, p. 219, as having slain Comyn's brother, Sir Robert; and Trivet, p. 345, points to the same thing in the sentence, "usque Dumfries ubi quendam militem de parte Regis occiderat;" but the historians, Barbour and Fordun, say nothing of it; and I suspect that all that can be proved against Seton, is the being present with Robert Bruce when he stabbed Comyn. Indeed, one MS. of Trivet says, that Seton was condemned on account of a murder committed in a church *with his consent*. See Trivet, p. 345, and the various readings at the bottom. As to the others, I am not aware of a single act of murder which can be brought against them, on the authority either of English or of Scottish historians. The fealty sworn to Edward was extorted from them either by fetters, imprisonment, confiscation, or the fear of death.

LETTER Z, page 106.

Lord Hailes has been misled by Rymer, who has erroneously placed a deed entitled "Gilbertus Comes Gloucestrie Capitaneus pro Expeditione Scotiæ," on the 3d December 1309, instead of 1308. He conjectures that the siege was raised. We may, perhaps, infer the contrary, from the orders issued by Edward, on the 12th of May 1309, to most parts of England, and to Ireland also, to provide corn, malt, peas, beans, and wine, for his various castles in Scotland, and in the enumeration of these, Rutherglen is not included. The castles mentioned are, Berwick, Roxburgh, Stirling, Edinburgh, Banff, Perth, Dundee, Dumfries, Caerlaverock, and Ayr. Rotuli Scotiæ, m. x, p. 63. Forfar is also mentioned, in a document dated 3d December 1308, as being at the time in possession of the English.

LETTERS AA, page 114.

Hume has mistaken the numbers of the English army who fought at Bannockburn, and has been corrected by

Hailes, vol. i. p. 41. Dr Lingard has remarked, that it is impossible to ascertain the exact numbers of Edward's army. He says the most powerful earls did not attend; but he has omitted the fact, that although they did not come in person, they sent their knights to lead their vassals into the field, and perform their wonted services. We may infer from the mention, in the English historians, of the absence of the Earls of Warwick, Surrey, Arundel, and Lancaster, that if any of the other barons or counties had neglected to send their powers, they would have noted the circumstance. The number given by Tyrrel, vol. iii. p. 260, is a hundred thousand men; and it is probable that this is rather under than above the fact.

Letters BB, page 158.

The leonine verses, called Bruce's testament, are as follow:—

"Scotica sit guerra pedites, mons, mossica terra:
Silvæ pro muris sint, arcus et hasta, securis.
Per loca stricta greges munientur. Plana per ignes
Sic inflammentur, ut ab hostibus evacuentur.
Insidiæ vigiles sint, noctu vociferantes.
Sic male turbati redient velut ense fugati
Hostes pro certo; Sic Rege docente Roberto."

I add the Scottish version from Hearne:—

'On fut suld be all Scottis weire,
Be hyll and moss thaimself to weire,
Lat wood for wallis be; bow, and spier,
And battle-axe, their fechting gear.[1]
That ennymeis do thaim na dreire,
In strait placis gar keip all stoire,
And birnen the planen land thaim befoire,
Thanan sall they pass away in haist
Quhen that thai find nathing bot waist;
With wylles and wakenen of the nycht
And mekil noyse maid on hycht;
Thanen shall thai turnen with gret affrai
As thai were chasit with swerd away.
This is the counsall and intent
Of gud King Robert's testament."

Letters CC, pages 161 and 239.

In the present volume, the reader will find many references to the Accounts of the Great Chamberlains of Scotland. Two large quarto volumes of these accounts, which contain all that is yet printed, were politely communicated to me by Mr Thomson, the present Clerk Register, to whose learning and enthusiasm the legal antiquities of the country are under deep obligations. Neither of these volumes has as yet been published, as the Preface and Appendix to be subjoined to each is not yet printed; but when completed, the work will be one of the most valuable which has ever been presented to the student of the history and antiquities of his country. The accounts, indeed, are written in Latin, and, from the innumerable contractions, present themselves in a shape somewhat repulsive to the general reader; but they contain a mass of information upon the state of ancient Scotland, its early agriculture, commerce, manufactures, and upon the manners and habits of the people, which is in a high degree interesting and important. From the extreme minuteness of the details, and the perfect authenticity of the records, there is a freshness and a truth in the pictures which they present, nowhere else to be met with. As a corroboration of this remark, let us take the following specimen from the Compotum Constabularii de Cardross, vol. i. pp. 37, 38, 40, 41. 30th July 1329:—

"Item computat in empcione 2 ccldrarum frumenti 53 sh. 4 d. Et in empcione 40 celdrarum farinæ 40 lib. boll pro 15 d. Et in empcione 130 celd. et 8 boll. ordei, et brasei ordei, secundum quod computans declarabit 166 lib. 11 solidi; videlicet 40 celdr. pro 40 lib. celdr. pro 20 solidis et 40 celdr. pro 44 lib. celdr. pro 22 solidis et 40 celdr. pro 46 lib. celdr. pro 23 solidis et 30 celdr. pro 36 lib. celdr. pro 24 solidis et 8 boll pro 11 solidis. . . . .

"Item in empcione 77 martorum, 32 lib. In 7 martis emptis, 56 solidi. Et in empcione 20 martorum pro pastu, 100 solidi. Et pro 5 multonibus emptis, 7 solidi et 6 denarii. . . . . Et in 36 salmonibus salsis empt. 18 solidi. . . . .

"Item pro uno reti empto pro piscibus majoribus et minoribus capiundis, 40 solidi. Item pro maremio empto pro scaffaldis faciendis pro opera novæ cameræ, 3 solidi.

"Item in 6 petros crete empt. pro pictura nove Cameræ apud Cardross, 3 solidi. Et in 10 lib. stanni pro clavis ad reparacionem ipsius Cameræ dealbandis et pro vitreo opere fenestrarum ejusdem, 3 solidi et 4 denarii. Et pro 30 ponderibus bosci ad comburendum pro negociis operis vitrei dictæ cameræ, 2 solidi et 6 denarii. Item pro 1 celdr.

[1] In the translation of "securis," I have adopted Ridpath's conjecture, Border History, p. 290.

calcis albe empta pro dealbacione dictæ cameræ, 8 solidi. . . . .

"Item computat pro fabricatione 80 petrarum ferri pro navibus Domini Regis et Comitis Moraviæ, ac pro aliis negociis manerii de Cardross, 26 solidi et 8 denarii, videlicet pro qualibus petrarum 4 denarii. Item, levantibus mala Domini Regis per tres vices, 3 solidi. Item, pro ductione magnæ navis Domini Regis ab aqua in rivulum juxta manerium, ac pro actiliis ipsius navis cariatis, et portatis in manerium de Cardross, 3 solidi. Item, pro 200 plaustratis petarum in æstate anni 1328, 4 lib. Item, in 200 plaustratis petarum, in omnibus custibus factis circa cariagium earundem usque ad Cardross in anno 1329, 4 lib. . . . . Item pro custodia 61 martorum interfectorum ut patet inferius per tres septimanas, 12 denarii. Item pro interfectione eorundem, 5 solidi. Item in portagio carcosiorum eorundem in lardarium, 12 denarii. . . . . Item Idem computat pro construccione unius porte juxta novam Cameram apud Cardross, 6 denarii. Item pro emendacione et tectura domus cujusdam pro falconibus ibidem cum construccione cujusdam sepis circa ipsam domum, 2 solidi.

"Item in construccione cujusdam domus ad opus *Culquhanorum*[1] Domini Regis ibidem, 10 solidi. Item computat Johanni filio Gun pro negociis navium Domini Regis, 6 lib. 13 solidi et 4 denarii. Item computat 12 hominibus de Dumbar transeuntibus usque le Tarbart, pro magna nave Domini Regis reducenda, 28 solidi. Item in expensis hominum transeuncium cum Patricio stulto veniente de Anglia usque le Tarbart, 18 denarii."

Even within the small limits of this extract, it will be seen that much curious and interesting information is to be found. The prices of grain, and the quantities furnished for the consumption of the royal household at Cardross, (it will be recollected that Robert Bruce spent there the two last years of his life, 1328, 1329;) the prices of the provisions for the larder, which consisted of marts, sheep, salted salmon, and numerous other articles not in this extract, enable us to form a pretty correct idea of the mode of living at this time. From the next passage, we are not only able to glean some information as to the state of the necessary and ornamental arts, but we obtain, at the same time, an interesting view of the occupations of this great king during the last year of his life. We see him and his illustrious nephew, Randolph, employing their rural leisure in experiments in shipbuilding and navigation, although the circumstance that one of the king's *great* ships could be hauled from the firth to the running stream (rivulum) beside the manor of Cardross, gives us a very contemptible idea of the size of these vessels. The house for the king's hawks, and the expenses paid for the journey of Patrick the Fool, from England to Tarbet, are examples of the entries in these records which throw light on the manners of the times. Of the obscure sentence regarding the house which was constructed "*ad opus culquhanorum domini regis*," I am unable to give any explanation, in addition to the conjecture in the note; but innumerable other passages might be selected, which would prove the high interest and value of these accounts.

[1] An obscure word which occurs nowhere else—conjectured by a learned friend to be "keepers of the dogs," from the Gaelic root, Gillen-au-con—abbreviated, Gillecon, Culquhoun.

The first volume contains 543 pages, and its contents, as described in page 2, are as follows:—

"1. The Preface to the volume, with an Appendix.

"2. Extracts from a roll of accounts in the reign of Alexander the Third, A.D. MCCLXIII.—MCCLXVI., and from a roll of accounts during the Interregnum, A.D. MCCLXXXVIII.—MCCXC. From the originals, now lost, by Thomas, earl of Haddington, clerk register in the reign of James the Sixth.

"3. The accounts of the Great Chamberlains of Scotland, and of the other officers of the Crown, now remaining in his Majesty's General Register House, arranged in the order of time, from the twentieth year of the reign of Robert the First, A.D. MCCCXXVI., to the death of David the Second, A.D. MCCCLXX."

The second volume extends to 679 pages. Its contents are as follows:—

"1. Preface to this volume.

"2. The accounts of the Great Chamberlains of Scotland, and of the other officers of the Crown, now remaining in his Majesty's General Register House, arranged in the order of time, from the accession of Robert the Second, A.D. MCCCLXX., to the death of Robert the Third, A.D. MCCCCVI."

The third volume contains the accounts of the Great Chamberlains of Scotland, and some other officers of the kingdom, from 1406 to 1435.

LETTERS DD, p. 164.

Death of Randolph.

Barbour, the metrical historian of Bruce, whose work is of the highest authority, informs us that Randolph was poisoned, without adding any particulars.

"The lave sa weill mantenyt he,
And held in pess swa the countre,
That it wes nevir or his day
Sa weill, as I herd auld men say.
Bot syne, allace! pusonyt wes he;
To see his dede was gret pite."
—BARBOUR, p. 423.

Barbour is generally believed to have been born about 1316, and, according to Lord Hailes' conjecture, was fifteen years old at the period of the death of Randolph. On what grounds are we entitled to set aside such an authority?

Winton is supposed, by his able editor, M'Pherson, to have been born about the year 1350, (Preface to Winton's Chronicle, p. 19,) only eighteen years after the death of Randolph. He composed his Chronicle in his old age, having commenced it in 1420, and finished it in 1424. (Ibid. p. 22.) His account is as follows:—

"Tharefore with slycht thai thoct to gere
Him wyth wenenous fell poysown
Be destroyid, and fel tresown
And that thai browcht swn til endyng
Be swn tresownabil wndertakyng;
For at the Wemyss, by the se,
Poysownyd at a fest wes he."
—Vol. ii. p. 146.

This is clear and direct testimony also. Let us next turn, not to Fordun, for he omits all mention of the circumstance[1] of the poisoning, and simply states the death of the Regent, but to his continuator, Bower, who, as we learn from himself, was born fifty-three years after the death of Randolph,[2] in the year 1385. "Et ideo," says he, speaking of the designs of the disinherited barons against Randolph, "novam artem confixerunt, et ut Italici ferunt, bello tradimento verius vili effecerunt, ut quidam Anglicus religione corruptus *dicto custodi familiaris capellanus*, sibi venenum in vino propinaret. Quod et factum est ut supra." Lord Hailes, in opposition to these authorities, pronounces the story of the death of Randolph by poison to be a silly popular tale, and affirms that he was afflicted in the decline of life with a confirmed stone; that in the progress of the disease he became gradually worse, was seized with colic pains, and at length died. But this circumstance of Randolph being afflicted with the stone, as well as the minute detail of the progress of the disease, on which Lord Hailes' whole theory proceeds, is not supported by an atom of authentic evidence. It rests solely on the authority of *Hector Boece*, whom Lord Hailes, in almost every page, represents, and truly represents, as a romancer, who is unworthy of all credit. Barbour, Winton, and Bower say not a word of it, but describe Randolph as being in the active discharge of his duties as governor, when he was suddenly cut off by the treachery of his enemies. Why, then, should the historian adopt the story of an author whom none can trust, and whom, on other subjects, he never trusts himself, in preference to the positive averment of authentic writers? As for poor Hector, he is treated rather cavalierly, being first compelled to act as an ally, and then summarily put down as a fabricator. In speaking of the Scottish historians, we must be careful to separate Boece and his followers from those who flourished before him. The last class, including Barbour, Winton, Fordun, and Bower, are valuable; the first, full of invention and apocryphal details. For instance, Lord Hailes observes, that the Scottish historians pretend that Randolph was poisoned by a vagrant monk from England, and that this was executed with the knowledge of Edward the Third. Now, neither Barbour, nor Winton, as we see, say a word of Randolph being poisoned by a monk, far less an English monk; and Fordun, although he lays the crime on an English chaplain, does not allege that Edward was privy to the plot. Boece, however, and those who followed him, assert both facts.

[1] Fordun a Hearne, p. 1018.
[2] Lib. xiv. chap. I.

LETTERS EE, page 171.

Death of Seton.

Lord Hailes, in his Annals, has omitted the circumstance of Edward the Third having hanged the son of Sir Alexander Seton, reserving it as a historical problem,

to be treated of in a separate dissertation. In that dissertation, given in the appendix, the fact of Seton's death is established beyond doubt, yet in future editions the scepticism of the text is retained. The result of the dissertation is satisfactory in one way, as it proves that Winton and Fordun are corroborated in every particular by the narrative of the Scala Chronicle. Their account, also, of Seton being governor of the town, is confirmed by the testimony of the Chamberlains' Accounts.

LETTERS FF, pages 172 and 323.

Battle of Halidon Hill.

Extract from a MS. Chronicle of England, down to the time of Henry the Fifth, by Douglas, a monk of Glastonbury. Harleian, 4690, fol. 79.

Ande the Scottes come in this araye in iiii bateilles ageste the II. kingges of Englond and Skottelond, as it is schewed herafter plenely by the names of the Lordes, as ye mough se in this nexte writingge.

In the forewarde of Skottelonde, weren thes Lordes whas names folowenne :—

The Erle Moreffe.
James Friselle.
Simonde Friselle.
Water Stywarde.
Ranolde Cheyne.
Patrick Graham.
Jonne Graunte.
James Cardeille.
Patrick Parkers.
Robert Caldecotes.
Philip Meldrum.
Thomas Kyrye.
Gilbarde Wiseman.
Adam Gurdun.
James Gramat.
Roberte Boyde.
Hugh Parke.

} With forty knightes new dubbede, vi^{c} men of armes, and xiii^{m} comunes.

In the first parte of the halfe hendeward of the bateille, weren these Lordes folwing :—

Stywarde of Scottelonde.
Erle Moueteth.
James hes unkelle.
William Donglas.
David Lindesaye.
Malcome Flemyng.
Wm. Kethe.
Dunkan Kambel.

} With thritty bachelers new dubbede.

In the seconde parte of the halfe hendewarde of the bateilles, wer thes Lordes :—

James Stywarde of Colden.
Alan Stywarde.
William Abbrelim.
William Moris.
Robert Walham.
Jon fitz William.
Adam Mose.
Water fitz Gilberte.
Jon Cherton.

In the III. warde of the bateilles of Skotelonde, weren these Lordes folowinge :—

The Erle of Marre.
The Erle of Rosse.
The Erle of Straherne.
The Erle of Southerlande.
William Kirkeley.
Jonne Cambron.
Gilbert Haye.
William Ramseye.
William Prentegeste.
Kirston Harde.
William Gurdon.
Arnalde Garde.
Thomas Dolfine.

} With forty knightes newe dubbede, ix men of armes, and xv^{m} cominers.

In the IIII. warde of the bateilles of Skotelonde, were these Lordes whose names folowe :—

Archibald Donglas.
The Erle of Levenax.
Alesaunder Brus.
Erle of Wiffe.
Jonne Cambell, erle of Athelle.
Roberte Laweder.
William Vipont.
William Launston.
Jonne Lavels.
Gilbert Schirlowe.
Jonne Lindesay.
Alesaunder Gray.
Ingram Umfreville.
Patrick Pollesworthe.
David Wymes.
Michel Scotte.
William Landy.
Thomas Boys.
Roger Mortimer.

} With xxx bachelers, ix^{c} men of armes, xviii^{m} and iiii^{c} cominers.

The Erle of Dunbar, keeper of the castle of Berwicke, halpe the Scottes with 50 men of armes. Sir Alisaunder Seton, keeper of the towne of Berwicke, halpe the Scottes with an hundred men of armes; and the comens of the town, with iiii men of armes, x^{m} and viii^{c} fote menne. The sum of Erles and Lordes amounteth lxv. The sum of bachelers new dubbede, a c. and xl. The sum of

men of armes, iiim vic and i. The sum of cominers iiii score m. and iic. The sum total of alle the pepelle amounteth iiiixx m. xvm and vc and v.

And these forsaid fifty five grete Lordes, with iiii bateilles, as it is before descrivede, come alle a fote. And Kinge Edwarde of Englonde, and Kinge Edwarde of Skottelonde, had well pairalled ther folke in iiii bateilles on fote, also to fighte agenste ther enemys. And then the Englische mynstrelles beten ther tabers, and blowen ther trompes, and pipers pipeden loude, and made a grete schoute uppon the Skottes, and then hadde the Englishe bachelers, eche of them ii winges of archers, whiche at that meeting mightly drewen ther bowes, and made arowes flee as thick as motes on the sonne beme, and so thei smote thei Skottes, that they fell to grounde by many thousands. And anone, the Skottes began to flee fro the Englishe menne to save ther pere lyves; butt whan the knaves and the Skottishe pages, that weren behinde the Skottes to kepe ther horses, seyen the discomfiture, thei prikened ther maisters horses awey to kepe themselfe from perille, and so thei towke no hede of ther maistars. And then the Englishe men towken many of the Skottes horses, and prikeden after the Skottes, and slewe them downe righte. And ther men might see the nowbell Kinge Edwarde of Englonde and his folke, hough mannefully they chaseden the Skottes; whereof this Romance was made.

There men mighte well se
Many a Skotte lightly flee;
And the Englische after priking
With sharp swerdes them stiking.
And then ther baners weren founde
Alle displayde on the grounde,
And layne starkly on blode
As thei hadde fought on the flode.
But the Skottes ill mote thei
Thought the Englisch adrenit schulde be,
For bicause thei might not flee.
But if thei adrenite schulde be,
But thei kepte them manly on londe,
So that the Skottes might not stonde,
And felde them downe to grounde
Many thousandes in that stounde,
And the Englishe men pursuyed them so
Tille the flode was alle a-goo.
And thus the Skottes discomfite were,
In litell tyme with grite feere,
For no notherwise did thei stryve
But as xx schepe, among wolfes fyve,
For v of them then were
Agenste ane Englischeman there;
So there itte was welle semyng
Thatte with multitude is no scomfiting.
Butt with God fulle of mighte
Wham He will helpe in trewe fighte.
So was this bi Goddes grace
Discomfiture of Skottes in that place
That men cleped Halidoun hille.
For ther this bateill befelle
Atte Berwicke beside the towne,
This was do with mery soune
With pipes, trompes, and nakers thereto,
And loude clarionnes thei blew also;
And there the Skottes leyen dede
xxx m. beyonde Tweed,
And v. m. tolde thereto
With vii c. xii and mo;
And of Englischemen but sevenne,
Worschipped be God in hevenne!
And that were men on fote goyng
By fely of ther oune doyng.
On Seinte Margete-ys eve, as I yow telle,
Befille the victory of Halidoune hille.
In the yere of Gode almighte
A m. iii. c. and ii and thritty.
Atte this discomfiture
The Englische knightes towke ther hure
Of the Skottes that weren dede,
Clothes and habergiounes for ther mede,
And watteever thei might finde,
On the Skottes thei lefte not behinde
And the knaves by ther purchas
Hadde ther a mery solas,
For thei hadde for ther degree
In alle ther lyffe the better to be.
Alle thus the bateille towke ending,
But I cannot telle of the ymgoing
Of tne two kinges, where thei become,
And whether thei wenten oute, or home.
But Godde that is heven King
Sende us pes and gode ending!

LETTERS GG, page 192.

Battle of Durham.

Lord Hailes, (Annals, vol. ii. p. 218,) in his observations on the conduct of the Steward of Scotland at the battle of Durham, has this passage:—"Boece, book xv. fol. 324, has been pleased to assert that the Steward and the Earl of March, perceiving that the forces under their command were dispirited, and unwilling to fight any longer, withdrew them to a place of safety." He adds, "that this retreat was the cause of all the disasters which ensued." He then observes, that the proper vindication of the Steward is, that the narrative of Boece, although not altogether of his own invention, has no warrant from Fordun, or from any English historian of considerable antiquity. I have no desire to support the character of Boece, the most apocryphal of all our historians; but as I have differed entirely, in this part of the history, from the view given of this battle by Lord Hailes, it is necessary to observe, that this has been done on authentic grounds; and,

first, it is to be observed, that Fordun's account of the battle of Durham, instead of giving no support to Boece, describes the flight of the Steward and the Earl of March in strong expressions. "Omnibus captis," says he, "exceptis Patricio de Dunbar et Roberto Sever Scotis, *qui fugam capientes illæsi abierant.*"—Fordun a Hearne, p. 1038. The *Scala Chronicle*, a contemporary English authority, from which Leland gave extracts in his Collectanea, and which has since been printed, also corroborates the account of Fordun. "The Counte of March and the Seneschal of Scotland fled." To say that the Steward fled from the field without striking a blow, would be highly inaccurate, for we know from Winton that he sustained great loss; but that, seeing the day on every side going against them, he and the Earl of March effected their retreat without attempting to rescue the king, seems to be the fact; and it is quite evident that David never forgave it.

LETTERS HH, page 218.

The Record of the proceedings of the Parliament held at Perth on the 13th of January 1364 is valuable, and has never yet been published; I therefore subjoin it, from the cancelled volume "Robertson's Parliamentary Records."

Apud Perth in Domo fratrum predicatorum die tercio decimo mensis Januarii anni domini millesimi trecentesimi sexagesimi quarti.

Constitutis et comparentibus coram domino nostro rege tanquam in suo consilio generali venerabilibus in Christo patribus dominis Sancti Andree Donkeldensis, Brechynensis, Rossensis, et Candide case ecclesiarum, episcopis De Dunfermelyn de Aberbroth de Passeleto de Scona de Kylwynnyne et de Cupro abbatibus Et dominis Roberto senescallo Scocie Comite de Stratherne, Willielmo Comite de Rosse, Johanne Senescallo domino de Kyle, Willielmo de Keth marescallo Scocie, Roberto de Erskyn, Archembaldo de Douglas, Hugone de Esglyntoun, Waltero et Alexandro de Haliburtoun, Dauid de Grame, Alexandro Senescallo, Willielmo de Dyssyntoun, Rogero de Mortemer, Dauid Fleming, Dauid de Anandia, et Roberto de Ramesay militibus, Alano de Erskyn, Malcolmo Fleming, Willielmo de Nevbyggyng, et Willielmo de Melgdrom, Johanne Wygmer, Adam Tor, Johanne Crab, Adam Pyngle, Johanne Mercer, Johanne Gil, Willielmo de Harden, et Eliseo Falconier, Conuocatisque aliis ad huiusmodi consilium vocari consuetis et ad negocia infrascripta citatis et recitatis articulis siue punctis reportatis a tractatu nuper habito cum rege et consilio Anglie per nuncios vltimo illuc missos videlicet Dominum Willielmum episcopum Sancte Andree Dominum Robertum de Erskyn militem Magistros Walterum de Wardlau et Gillebertum Armistrang prout continetur inferius fuit per modum qui sequitur concordatum videlicet Quod eorum omnium plena fuit intencio et assensus quod tractatus super bona pace reformanda et habenda perpetuo cum rege et regno Anglie acceptetur per vias modos et condiciones subscriptas, et quod si tractatus huiusmodi super pace forte deficiat, fiat tractatus super treugis habendis per redempcionem regis soluendam, si possit haberi vt inferius est contentum ad quod nuncium faciendum eosdem prenominatos nuncios concorditer elegerunt.

Primo quidem quo ad primum articulum seu punctum reportatum vt permittitur quod scilicet dominis exheredatis existentibus in Anglia de regno Scocie restituantur terre sue *ita ordinatum est ad tractandum* quod quinque persone *alias nominate in diuersis tractatibus* videlicet Comes Atholie, domini de Percy, de Beaumont, de Talbot, et de Ferrers, *pro bono pacis* rehabeant terras suas Eciam pro bona pace habenda quod aliis diuersis videlicet Dominis Godfrido de Roos Patricio Macowlach Edwardo de Lechmere et Willielmo de Westherynggton sint sue hereditates restitute et quod dominus Alexander de Mowbray habeat ad summam centum marcatarum terre Etiam quod illi de regno Scocie qui fuerunt ad pacem regis Anglie videlicet existentes in Marchiis gaudeant terris suis Eciam quod ad terras quas vendicant heredes quondam domini de Walris infra regnum Scocie videtur prenotatis dominis super ipsis esse tractandum et quod si de aliis punctis concordari poterit ad bonam pacem non esse sic standum per hoc vt aliis concurrentibus impediatur tractatus.

Secundo quo ad terras concedendum *filio juniori* regis Anglie concordatum fuit sic esse tractandum quod mille librate terre infra Galwydiam que fuit

hereditas quondam Edwardi de Balliolo concedantur eidem hereditarie eciam et similiter de Insula de Man que est valoris mille marcatarum cum tenendiis et pertinenciis earundem quod si ad hoc concordari non possit quin Comes de Salisberi habeat dictam insulam per ipsum tractatum concedatur et tractetur quod dicto filio regis Anglie loco illarum mille marcatarum de Man mille marce stirlingorum per annum de certis redditibus hereditarie sint concesse quousque terre ad eundem valorem sibi valeant assignari ita tamen quod viterque pro eisdem terris sit homo legius domini nostri regis Scocie.

Tertio quod pro bona pace habenda et omnimodis accionibus et reprobacionibus finaliter sedandis ad hoc tractetur secundum quod nuncii domini nostri regis viderint melius expediri vt dominus noster rex faciat guerram fieri ad tempus infra aliquas partes Hybernie ad quas sui commodius accedere poterunt per potenciam vias et modos rationabiles et possibiles consideratis marchiis regni Scocie et Hybernie quibus sibi et suo consilio visum fuerit faciendum.

Preterea de tractatu habendo super pace reformanda si forte premissa omnia non sint accepta per partem aduersam, nec vellet per hoc assentiri ad pacem, volunt predicti domini et vnanimi consensu concordarunt antequam bona pax et perpetua relinquatur, omnino, quod concedatur solucio redempcionis debite tollerabiliter facienda, nec non mutua confederacio regnorum perpetuo, quamuis non per equalem potenciam, que tamen nullo modo sapiat seruitutem, vna cum omnibus supradictis si eorum aliqua nullo modo recindi valiant modificari uel minui per fidelem industriam tractatorum verum concessio terre vallis Anandie que petita est alias relinquitur regie voluntati.

Ceterum concordauerunt predicti domini congregati si forte defecerit tractatus pacis per vias pretactas tractandum esse super treugis et solucione redempcionis reformanda sic scilicet primo quod pro remissione et sedacione omnium penarum et reprobacionum remittantur penitus viginti mille marche iam solute et deinde quod soluantur per annum quinque mille marche quousque sexies vinginte mille marche sint solute treugis durantibus pro tempore solucionis predicte viz. ad vinginti quatuor annos que si non valeant acceptari tractetur postea quod centum mille libre soluantur pro omnibus supradictis remittendo etiam vt supra viginti mille marchas solutas et incipiendo de nouo vt omni anno soluantur quinque mille marche prorogatis treugis pro toto tempore solucionis vt supra quibus omnibus forte deficientibus affirmetur finaliter quod dictis viginti mille marchis solutis omnino remissis soluantur centum mille marche infra decem annos quolibet anno videlicet decem mille marche prout in primo tractatu super deliberacione regis extitit concordatum.

Item ordinatum fuit per dictum consilium quod pecunia pro redempcione soluenda sic leuetur vt scilicet tocius lane regni custuma ad summam octo mille marcharum per annum ad minus ascendere estimetur, que vero custuma si tanta fuerit vel vberior per certos burgenses committendos per regem et eciam per literas sub communi sigillo burgorum de quibus fuerint et sub periculo communitatum eorumdem recipiatur in Flandria in moneta regis Anglie ita tamen quod sit aliquis sufficiens ex parte regis ibidem qui astet continue et examinet ad donum ponderandi et sic fiat ibi solucio de octo mille marchis per annum vt in dicto primo tractatu est contentum ita quod intelligatur dicta solucio fieri si processum fuerit ad vltimam viam soluendi aliis recusatis.

Item ordinatum fuit quod fiat eciam contribucio omni anno, durante dicto decennio, sex denariorum de libra per totum, que leuetur per certos collectores annuatim eligendos, nulle persone parcendo, de qua per camerarium et aliam sibi per regem adiungendam personam sumantur. primo ante omnia alia, due mille marche per annum ad solucionem dictarum decem mille marcharum redemcionis complendum, residuum ipsius contribucionis permaneat cum camerario pro necessariis sumptibus domini nostri regis. manuceperunt eciam et efficaciter promiserunt prenominati domini omnes et singuli quod tractatum pacis siue treuge que dicti nuncii inient siue perficient cum rege Anglie et suo consilio per modos et vias prenotatas approbabunt ratificabunt confirmabunt et sub pena reprobacionis et periurii perficient in omnibus et inuiolabiliter obseruabunt et eciam quod ordinacionem factam pro contribucione leuanda et solucione redempcionis facienda tenebunt fideliter et implebunt nec ipsam in se vel in suis hominibus impedient aut ei in aliquo contradicent.

Similiter quod non impetrabunt nec exigent clam vel palam pro se vel pro aliis a domino nostro rege aliquas terras wardas releuia vel maritagia finis vel escaetas medio tempore contingentes sed remanebunt integre in manibus camerarii ad vtilitatem regis vna cum residuo dicti contribucionis vt est dictum in casu quo per dictam vltimam viam concordetur super treugis et summa redempcionis soluenda et quia si premissa non seruarentur sed procederetur forsitan in oppositum eorumdem manifeste sequeretur annullacio contractus initi in obprobrium et graue dispendium regis prelatorum et procerum necnon destruccionem tocius communitatis regni.

Promiserunt omnes et singuli dicti domini congregati fideliter et tactis sacrosanctis euuangeliis personaliter iuraueruut quod contra quemcunque premissa vel premissorum aliquod infringentem impedientem seu contradicentem in aliquo cum sua tota potentia insurgent concorditer tanquam contra rebellem regis et rei publice subuersorem ac ipsum infractorem impeditorem seu contradictorem ad obseruacionem predictorum compellent sub pena reprobacionis et periurii vt premittitur et sub pena pariter fidelitatis sue infracte contra regiam maiestatem In cuius rei testimonium sigilla prenominatorum prelatorum et sigilla dicti domini Senescalli Scocie Comitis de Stratharne et domini Patricii Comitis Marchie et Morauie et domini Willielmi Comitis de Douglas qui ad premissa omnia et singula suum consilium adhibuerunt et consensum in presencia domini nostri regis apud Edenburgh corporali prestito iuramento licet personaliter non interfuerit cum ordinarentur primitus apud Perth vna cum sigillis domini predicti Comitis de Ross et aliorum procerum predictorum nec non communibus sigillis burgorum de Edinburgh Abriden Perth et Dunde presentibus sunt appensa Acta et data anno die et loco predictis.

LETTERS II, page 221.

ORDINATIO CONSILII.

Octauo die Maii anni millesimi trecentesimi sexagesimi sexti apud monasterium Sancti Crucis.

Fuit per consilium ordinatum In primis quod cum super quatuor punctis videlicet homagio, successione, regni demembracione, ac subsidio gencium armorum perpetuo, per regnum Scocie regno Anglie et eciam infra propria duo regna et vltra per regnum Scocie extra regnum Anglie impendendo, fuisset aliquandiu tractatum, *finaliter refutatis primis tribus punctis tanquam intollerabilibus et non admissibilibus deliberatum* extitit fore super quarto puncto tractandum per nuncios a parlamento mittendos cum modificacione possibili habenda super eodem quarto puncto et in casu quo per quartum punctum tolerabiliter modificatum finalis pax haberi non valeat vt petitur deliberatum, extitit quod iterum taxentur secundum verum valorem et antiquum per totum regnum terre et redditus tam ecclesiastici quam alii, et ipse taxaciones ad parlamentum presententur, et eciam quod scribatur vicecomitibus quod ad certos dies sibi nominandos in scripto citari faciant coram ipsis diuites patrie et plebanos qui ad parlamentum non erunt, nec voluerunt permittere interesse ibidem, ad quos dies eciam erunt certe persone deputande per regem vel camerarium, et queratur a quolibet singillatim et ponatur in scripto quantum quisquis dare voluerit gratis ad redempcionem regis infra tres annos proximo futuros complete soluendam, et ipse donaciones ibidem pariter presententur, ad finem quo dicto tractatu pacis deficiente, habeatur saltem in fine quatuor annorum quibus treuge sunt iam firmate totum residuum redempcionis Domini nostri regis in promptu soluendum vt vitari valeant omnes reprobaciones et pene si que per partem aduersam possent inpingi vel peti per instrumenta super magnis treugis et liberacione regis confecta.

DE MONETA FABRICANDA.

Item quod fabricetur moneta de materia iam allata in regnum *talis qualem fecit magister Jacobus in pondere* et metallo ita quod in hiis equipolleat monete currenti in Anglia et fiat in ipsa signum notabile per quod possit ab omni alia prius fabricata euidenter cognosci quousque in proximo parlamento possit super hoc maturius auisari Et interim super mercede monetarii et operariorum conueniat camerarius pro parte regis cum ipsis prout melius poterit conuenire.[1]

[1] Robertson's Parl. Records, pp. 104-105.

LETTERS KK, page 223.

Parlamentum tentum apud Sconam vicesimo die Julii anno gracie millesimo trecentesimo sexagessimo sexto et regni Domini nostri regis Dauid tricesimo septimo summonitis et vocatis more debito et solito episcopis abbatibus prioribus comitibus baronibus libere tenentibus qui de Domino nostro rege tenent in capite et de quolibet burgo certis burgensibus qui ad hoc fuerunt ex causa summoniti comparentibus omnibus illis qui debuerunt potuerunt vel voluerunt commode interesse absentibus vero quibusdam aliis quorum aliqui legitime excusati fuerunt aliqui vero quasi per contumaciam absentarunt videlicet Willielmus Comes de Rosse Hugo de Ross Johannes de Insulis Johannes de Lorn et Johannes de Haye.

Cum ipsum parlamentum principaliter inter cetera fuerit statutum ad deliberandum de consensu et assensu illorum quorum supra super tractatu pacis habendo cum rege et regno Anglie in forma et super punctis vltimo reportatis per nuncios et super plenaria solucione redempcionis domini nostri regis facienda in fine treugarum iam per triennium duratarum in casu quo pax interim reformari aut vlteriores treuge haberi non poterunt et super necessariis expensis regis et suorum nunciorum tunc mittendorum in Angliam Primo et principaliter super negociis pacis fuerat ordinatum quod nuncii adhuc mitterentur in Angliam qui fuerunt nuper illic videlicet dominus episcopus Sancti Andree Dominus Robertus de Erskyn Magister Walterus de Wardlau et Gillebertus Armistrang sicut aliam planam commissionem habentes ad tractandum de pace vt bona et perpetua possit firmari inter regna concedendo omnia que in primo instrumento facto sub sigillis dominorum fuerunt pro pace concessa et vltra tractando super quarto puncto videlicet subuencione guerratorum mutuo facienda quanto melius et ad minus grauamen fieri poterit sicut in vltimo instrumento sub sigillis vt supra inde facto super eodem puncto onerati fuerunt.

Et vlterius hoc tractatu deficiente ad tractandum super prorogacione treugarum ad viginti quinque annorum exitum soluendo summam redempcionis que restat soluenda videlicet quolibet anno quatuor millia librarum vt habebatur alias in tractatu. Quantum vero ad secundum punctum sic ordinatum fuit, quod cum iam habeatur in certo per presentaciones hic factas tam antique extenti quam veri valoris omnium reddituum ecclesiarum et terrarum tam ecclesiasticarum quam mundanarum taxentur eciam omnia bona burgensium et husbandorum preter oues albas ad presens, et infra festum natiuitatis beate virginis proximo futurum apud Edinburgh consilio presententur et tunc habita totali summa veri valoris omnium bonorum tocius regni ordinabatur contribucio leuenda generaliter et adequabitur libra libre vt leuentur extunc incontinenti octo mille marce ad expensas regis et ad eius debita soluenda in regno, et ad expensas nunciorum et non plus, cum magna custuma ordinetur ad dictam solucionem quatuor mille librarum pro redempcione vt premittitur facienda quousque nuncii reuertantur et ex hoc posset ordinacio quo ad tercium punctum videlicet. Quod cum dominus noster rex ordinauerit pro certiori magnam custumam suam ad solucionem dictarum quatuor mille librarum pro sua redempcione facienda, per annum, dicte quatuor mille libre leuentur de dicte contribucione leuenda et duo millia marcharum eciam de eadem contribucione mille marche videlicet ad soluenda debita regis et ad expensas suas interim faciendas et mille marce ad expensas nunciorum que quidem duo millia marce sic mutuata fuerunt vt haberentur in promtu videlicet per barones mille marche per clerum sexcente marche et per burgenses quadringinte marce que sibi refundentur cum dicta contribucio fuerit leuata. Plegiis ad solucionem faciendam burgensibus Domino Roberto de Erskyn et Domino Walterro de Bygar camerario Scocie.

Et fuit in dicto parlamento ad instanciam trium communitatum per regem expresse concessum et eciam publice proclamatum primo quod vnicuique fiat communis iusticia sine fauore cuiquam faciendo et absque accepcione cuiuscunque persone et quod litere que emanauerint de capella regis aut aliter per alios ministros quibus incumbit facere iusticiam pro iusticia facienda non reuocentur per quascunque alias literas sub quocunque sigillo sed quod liceat ministris quibus tales litere destineantur ipsis non obstantibus iusticiam facere ac ipsas remittere indorsatas.

Item quod cum communitates se iam onerauerint ad tam onerosam solucionem faciendam tam pro redempcione domini nostri regis facienda, quam pro ipsius et nunciorum suorum necessariis et expensis, nichil de hiis que ad hoc ordinantur applicetur ad vsus alios quoscunque ex dono remissione vel aliter sed solum ad ea ad que sunt vt premittitur singulariter ordinata.

Item quod viri ecclesiastici et terre sue elemosinate gaudeant suis libertatibus et priuilegiis et quod nulla alia onera vel imposiciones sint eis imposite vltra onera in parlamento concessa et si qui sint impeditores assedacionis decimarum quod arceantur per regem ad querelam ipsorum qui in hoc grauati fuerint sic quod suis decimis possint pacifice et cum integritate gaudere sub pena excommunicacionis quo ad clerum et decem librarum penes regem.

Item quod nichil capiatur a communitatibus ad vsus regis sine prompta solucione nec eciam aliqua capiantur ad pricam nisi vbi et secundum quod fieri consueuit et debet fiat infra tempus consuetum et debitum solucio prompta et debita pro eisdem.

Item quod isti rebelles videlicet de Atholia Ergadia Baydenach Lochaber et Rossia et alii si qui sint in partibus borealibus aut alibi arestentur per regem et ipsius potenciam ad subeundam communem iusticiam et ad contribucionem specialiter exsoluendam et aliter corigantur prout ad pacem vt vtilitatem communitatis et regni magis fuerit oportunum.

Item quod omnes officiarii regis videlicet vicecomites et alii inferiores ministri tam infra burgum quam extra obediant camerario et aliis superioribus ministris sub pena amocionis eorumdem ab ipsorum officiis sine spe restitucionis imposterum ad eadem.

Item quod non mittantur aliqui cum equis ad perhendinandum cum religiosis rectoribus vicariis aut husbandis nec aliqui cum quibuscunque equis mittantur in patriam qui consumant bona blada vel prata husbandorum vel aliorum aut aliquis hoc facere presumat sub pena que pro huiusmodi debet infligi pro quantitate delicti et qualitate persone.

Item quod remissiones regis concesse vel concedende pro quibuscumque transgressionibus sint casse et nulle nisi satisfiat parti infra annum a data earundem nisi forte manifeste steterit per illos quorum interest et de hoc illi quibus concesse fuerint remissiones huiusmodi fecerint sufficientur doceri.

Item quod camerarius faciat in singulis burgis iuxta locorum facultates de hospitiis competentibus prouideri.

Item quod nullus prelatus comes vel baro vel alius cuiuscunque condicionis existat ecclesiasticus vel secularis equitet cum maiori familia in personis vel equis quam deceat statum suum ad destruccionem patrie quodque nullus ducat secum lanceatos vel architenentes equitando per patriam nisi causa rationabilis subsistat de qua ministris regis super hoc questionem facientibus fidem facere teneantur sub pena incarceracionis corporum eorundem.

Item quod quilibet iter faciens siue moram per regnum solucionem faciat suis hospitibus et aliis de quibuscunque receptis et expensis suis vtrobique rationabiliter et secundum forum patrie sic quod exinde nulla iusta querimonia audiatur sub pena.

Item quod dominus noster rex faciat omnia et singula prenotata sub sigillo suo in scripto redigi et per singulos vicecomites puplice proclamari.*

LETTERS LL, page 224.

Acta in parlamento tento apud Sconam vicesimo septimo die mensis Septembris cum continuacione dierum anno gracie millesimo trecentesimo sexagesimo septimo conuocatis tribus communitatibus regni congregatis ibidem Quedam certe persone electe fuerunt per easdem ad parlamentum tenendum data aliis causa autumpni licencia ad propria redeundi videlicet.

Ex parte cleri electi fuerunt domini episcopi Sancti Andree Glasguensis Moraviensis Brechinensis Cancellarius et Dumblanensis Prior Sancti Andree, Abbates de Dunfermelyn, de Aberbroth, et de Lundors, de clero eciam Santi Andree, prepositus Sancti Andree, et Magister Alexander de Caroun de clero Glasguensis, Dominus Johannes de Carric Procurator Episcopi de Dunkelden cantor eiusdem, Procurator Episcopi Abirdonensis Magister Dauid de Marre, et Procurator Episcopi Rossensis, Decanus eiusdem.

Pro parte vero baronum Domini Senescallus Scocie Comes de Strathearne, Comes de Marr, Domini de Kyle et de Meneteth, Domini Willielmus de Keth marescallus Scocie, Robertus de

* Robertson's Parl. Records, pp. 105, 106.

Erskyn, Archibaldus de Douglas, Walterus de Lesley, Walterus de Haliburtoun, Hugo de Esglyntoun, Dauid de Grame, Duncanus Wallays, Dauid Walteri &c. absentibus contumaciter Comitibus de Marchia, de Ross, et de Douglas.

Et pro parte burgensium electi de Edynburgth Adam de Brounhill, et Andreas Bec, de Aberden, Willielmus de Leth, et Johannes Crab, de Perth, Johannes Gill et Johannes de Petscoty, de Dunde, Willelmus de Harden, et Willielmus de Innerpeffre, de Monross, Elisieus Falconar et Thomas Black, de Hadyngstoun Johannes de Heetoun et Magister Willielmus de Tauernent, et de Lychcu Thomas Lethe.

Cum super tribus punctis determinandis fuerit presens parlamentum ordinatum principaliter teneri. Primo videlicet quo ad modum viuendi regis, super quo dicti domini congregati deliberant per hunc modum videlicet quod vt dominus rex viuere possit, et debeat sine oppressione populi, omnes redditus firme, cane, custume, foreste, et officia ac alia emolumenta quecunque ac omnes terre tam dominice quam alie, in quorum possessione vt de feodo immediate recolende memorie dominus rex Robertus pater domini nostri regis qui nunc est, fuit tempore mortis sue, et quarum possessio siue proprietas ad jus et proprietatem corone tempore regis Roberti, aut tempore regis Alexandri, pertinere consueuit et debuit, cum reuersionibus debitis, ratione corone, et que reuersiones medio tempore contigerunt, eciam si dicti terre redditus et firme cane custume foreste et alia emolumenta que supra sint per dictum quondam dominum regem Robertum aut per dominum nostrum regem qui nunc est, aliquibus personis vel locis donata vel concessa ad certum tempus iam transactum vel sub certa limitacione condicione seu talliacione finita et extincta, et similiter terre per ipsum dominum nostrum regum vel suum camerarium assedate ad tempus, licet terminus seu exitus nondum venerit, plene et integre ab illis qui eas et ea hactenus habuerunt et ab omnibus aliis imposterum ad dictum nostrum regem et suam coronam reuocentur et redeant, cum ecclesiarum aduocacionibus, et debitis antiquis seruiciis perpetuo remansure, nec vnquam concedantur illis aut aliis nisi solum ex deliberacione et consensu trium communitatum. Et si illi quibus terre huiusmodi fuerunt concesse, habeant iam ipsorum aliquas in sua propria cultura, redactas, non assedatas ad firmam, compellantur ad soluendum tantam firmam ad terminum Sancti Michaelis proximo futurum pro ipsis terris pro quanta ille terre vel alique alie eque bone, posent in presenti rationabiliter et fideliter assedari, et quod omnes warde releuia maritagia et escaeta ac exitus curiarum regis quarumcunque remaneant ad sustentacionem domus sue in manibus camerarii pro vtilitate domini nostri regis disponenda, et cum dominus noster rex aliquem pro merito promouere vel remunerari voluerit, hoc fiat tantum de mobilibus et cum bona deliberacione consilii si quis autem remuneracionem seu promocionem a domino rege impetrauerit et ipsum male informauerit de valore uel summa cum fuerit compertum quod ipse valor vel summa maior fuerit per quantitatem excessiuam ita quod impetracio illa surreptitia possit notari ipsam promotionem seu remissionem omnino amittet et reprobacionem incurret merito debitam in hoc casu; aut si aliquis impetrauerit a domino rege de dictis demaniis, seu terris reuersionibus et reuocationibus aliquam partem notabilem tanquam a rege et suo consilio, reprobandus penam subibit debitam et carebit nichilominus impetracione.

Item deliberant pro vtilitate communi quod omnes regalitates libertates, infeodaciones, infeodacionum innouaciones, per quas warde, releuia, maritagia, secte curiarum aut alia quecumque seruicia communia domini nostri regis diminuta sunt in aliquo vel subtracta post mortem domini dicti regis Roberti, quibuscunque partibus; de nouo concessa reuocentur et cessent, omnino, et seruicia subeant communia cum vicinis prout facere consueuerunt ante concessam huiusmodi libertatem antiquis regalitatibus libertatibus et immunitatibus in suo robore permansuris, et quod omnes carte et munimenta super reuocacionibus et reuersionibus vel aliqua eorum confecte vel confecta hactenus, reddantur et restituantur apud Perth in scaccario, ibidem tenendo, in manus cancellarii et camerarii, infra quindecim dies festum epiphanie domini proximo futurum immediate sequentes, et nichilominus si alique carte vel munimenta huiusmodi penes personas aliquas abinde remanserint non reddite vel non reddita ex tunc casse irrite et nulle cassa irrita et nulla habeantur et perpetuo nullius sint momenti,

Secundum punctum videlicet quantum ad municionem castrorum requiratur in paruo registro. Quantum vero ad tertium punctum videlicet disposicionem et statum regni deliberant quod si aliqua motiua de nouo occurrant pro parte regis Anglie vel pro parte nostra vltra alios tractatus per nuncios regni et per communitates negataque inducere poterunt bonam rationabilem et tollerabilem pacem vel treugarum prorogacionem vtilem habeant dominus noster rex et illi quos ipse ad tunc propinquius habere poterit de suis consiliariis juratis vicem et protestatem liberam prelatorum et procerum in hoc parlamento congregatorum eligendi nuncios et taxandi eorum expensas secundum laborem et negociorum exigenciam et personarum eligendarum qualitatem et statum absque conuocacione super hoc parlamenti seu alterius consilii cuiuscunque, et quod propter promptitudinem et certitudinem solucionis redempcionis habende tota magna custuma leuatur ad ipsam solucionem faciendam videlicet viginti solidi de sacco. Et ordinatur quod ad nullum aliud applicetur, et vt patet ex deliberacione et ordinacione premissorum, cum ipsis demaniis alia propria domini regis redire debent ad manus suas, et reuerti. Inter que comprehenditur dimidia marca que solet solui de sacco lane, et sic proportionaliter de aliis mercandisis consimilibus ad custumas. Habeant eciam dominus rex et illi quos ipse ad tunc propinquius habere poterit vicem et potestatem, vt supra ad ordinandum quasi per communem contribucionem leuari quantum recompensare valeat cum domino nostro rege ad sustentacionem domus sue, pro illa dimidia marca de custuma recepta ad solucionem redempcionis antedicte, quando scilicet saccum ad plenum videlicet in exitu scaccarii in proximo tenendi de custuma integra mercatorum ad quantum videlicet ascenderit vsque ad nonam lanam. Et sic si quid ad dictam recompensacionem faciendam leuatum aut contributum fuerit non erit tanquam ad expensas domus regis sed ad supplecionem redempcionis eius tantum vt patet ex precedentibus ad quam solucionem redempcionis tota communitas obligatur.[1]

[1] Robertson's Parliamentary Records, pp. 108, 109.

LETTERS MM, page 227.

Parlamento tento apud Sconam duodecimo die mensis Junii cum continuatione &c. anno domini millesimo trecentesimo sexagesimo octauo conuocatis prelatis proceribus et burgensibus qui tunc voluerunt et potuerunt personaliter interesse aliis per commissarios comparentibus aliis autem contumaciter absentibus.

Cum per relationem nunciorum nuper missorum ad curiam et presenciam regis Anglie domino nostro regi et toti communitati fuerit expresse nunciatum, quod non proficit inire nec attemptare tractatum cum rege et consilio Anglie super pace habenda, nisi per deliberacionem et commissionem generalis consilii regis, et regni mittatur ad tractandum in bona fide super vno quatuor punctorum, principaliter, concedendo alias per ipsos aduersarios petito vna cum aliis diuersis articulis ipsis punctis adiunctis ex parte omnium congregatorum in parlamento presenti. Habito per quatuor dies, et amplius, super premissis diligenti consilio et deliberacione matura deliberatum, fuit finaliter, quod cum adhuc restent treuge siue inducie vltimo capte et concordate inter regem et regnum vsque videlicet ad festum Purificacionis proximo futurum et deinde per vnum annum continuum et a tunc vsque rex fuerit per regem Anglie sub magno sigillo suo per dimidium anni spacium ante incepcionem guerre premunitus, non adhuc opportet nec expedit inire nec attemptare tractatum super aliquo dictorum punctorum concedendo, que alias in pleno parlamento ad quod plures et maiores interfuerunt quam nunc sunt hic presentes per tres communitates vnanimiter fuerant denegata, *que tanquam inconuenienca, intolerabilia et impossibilia obseruari reputabantur et expressam, inducencia seruitutem*, verum non deliberant quin aliter forte aliis deficientibus secundum quod tunc opportunum et expediens visum fuerit, possit attemptari in bona fide tractatus super ipsorum punctorum aliquo, cum punctis, articulis et moderacionibus, seruitutem per Dei graciam finaliter expellentibus si opportuerit concludendum.

Item deliberant quod quia necessarium est prouidere atque disponere

super et pro defensione regni omnes dissensiones mote inter magnates et nobiles aliter quam per viam iusticie communis festinanter sopiri debeant et sedari per regem ita quod nullus inquietet alium aliter quam per processum communis iusticie quam quidem dominus noster rex vnicuique debeat semper administrare equaliter sine fauore aliquo et acceptione personarum.

Item diliberant quod insulani et illi de superioribus partibus compescantur per regem et Senescallum Scocie ne dampna inferant aliis sed quod in euentu guerre *possint communitates tutum habere refugium inter eos.* Et sic dominus noster rex ibidem viua voce precepit et iniunxit expresse Senescallo Scocie, Comiti de Marre, Johanni Senescallo Domino de Kyle, et Roberto Senescallo, Domino de Meneteth, in fide et ligiancia quam sibi debent et sub pena que incumbit quod ab omnibus existentibus, infra limites dominiorum suorum seruent communitates regni indempnes. Et quod scienter voluntarie seu inquantum obsistere poterunt malefactores aliquos dampna aliis illaturos per ipsos limites transire aut in ipsis receptari non permittant sub pena vt supra.

Item quod dominus noster rex statim sine more dispendio faciat Johanni de insulis per modum tactum inter ipsum et Senescallum Scocie ibidem et similiter Johanni de Loorn ac Gillaspic Cambel venire ad suam presenciam, et de ipsis securitatem capiat sufficientem per quam tota regni communitas ab eis et suis hominibus et adherentibus et quilibet eorum ab alio de cetero sint indempnes. Et eciam faciat quod ipsi et sui homines subeant labores et onera cum suis comparibus et vicinis.

Preterea videtur dictis dominis congregatis ad cautelam et securitatem maiorem quod dominus noster rex debeat scribere statim adhuc, cum instancia, regi et consilio Anglie super diebus reparacionum et emendacionum petendis teneri et assignandis de dampnis et iniuriis factis et illatis super marchiis iuxta colloquium factum inter ipsos in parlamento presenti.

Et deliberant quo ad custodias marchiarum quod statim dominus noster rex habeat consilium cum Comitibus Marchie et de Douglas alias constitutis custodibus marchiarum in oriente licet non sint iam bene dispositi ad laborem et secundum auisamentum eorum et consilium custodes constituat celeriter et prudenter sed in occidentibus partibus remaneat Dominus Archibaldus de Douglas custos sicut prius.

Et quantum ad castra deliberant, quod dominus noster rex mittat cum camerario Scocie hos milites subscriptos videlicet Dominos Walterum de Lesly, Walterum de Haliburtoun, Hugonem de Esglintoun, et Walterum Moygne vna cum custodibus castrorum quos ipse dominus noster rex habere voluerit ad quatuor castra regia, videlicet Lacus de Leuyn, Edynburgh, Striuelyn, et Dunbartan, visitanda et quod secundum quod per visum ipsorum dicta castra indiguerint tam in hominibus tempore guerre quam in municione murorum in victualibus instrumentis et aliis necessariis ad ipsa castra debite et decenter tenenda contra hostes sine dilacione aliqua eis faciat prouideri. Et quod aut per dictos milites aut per alios prouidos et circumspectos rex faciat indilate visitari alia castra et si inuenerint ea defensibilia et inexpugnabilia inter ipsum et dominos in quorum dominiis siue custodiis ipsa castra fuerint situata ordinetur celeriter de municione ipsorum tam in hominibus quam in victualibus et aliis necessariis vt supra finanter absque more dispendio preciptat ea perstrui sub pena, &c.

Est eciam ordinatum quod quia non adhuc videbatur expediens communitati imponere contribuciones aliquas vel collectiones debeant leuari de sacco lane viginti sex solidi et viii^to^ denarii ad custumas regis et sic proportionaliter de coriis & pellibus custumandis quousque cessatum fuerit a solucione redempcionis vel aliter pro expensis domus regis ordinatis. Et quia in quibusdam partibus non sunt oues, sed animalia alia habundant ordinant quod in partibus illis leuetur vna summa martorum ad expensas dicte domus que iuxta visum peritorum de consilio equipolleat oneri quod incumbit lane ouium in custuma.

Ordinatum est discussum et publice proclamatum in presenti parlamento quod omnes processus facti super iudiciis contradictis quorum discussio et determinacio ad parlamentum pertinent presententur cancellario ante parlamentum proximum tenendum. Et quod omnes partes ad proximum parlamentum compareant ad audiendum et recipiendum determinaciones ipsorum. Et discernitur quod ista premunicio seu proclamacio preualet citationes ac si mitteretur per breue de capella regis.[1]

1 Robertson's Parliamentary Records, pp.

LETTERS NN, page 228.

Vniuersis presentis literas inspecturis Johannes de Yle Dominus Insularum salutem in omnium saluatore Cum serenissimus princeps ac dominus meus metuendus dominus Dauid Dei gracia rex Scotorum illustris contra personam meam propter quasdam negligencias meas commissas commotus fuerit propter quod ad ipsius domini mei presenciam apud Villam de Inuernys die quinto decimo mensis Nouembris anno gracie millesimo trecentesimo sexagesimo nono in presencia prelatorum et plurium procerum regni sui accedens humiliter ipsius domini mei voluntati et gracie me optuli et summisi de huiusmodi negligenciis remissionem et graciam supplicter postulando Cumque idem dominus meus ad instanciam sui consilii me ad suam beneuolenciam et graciam graciose admiserit concedens insuper quod in possessionibus meis quibuscunque remaneam non amotus nisi secundum processum et exigenciam juris Vniuersitati vestre per presencium seriem pateat euidenter, quod ego Johannes de Yle predictus promitto et manucapio bona fide quod de dampnis iniuriis et grauaminibus per me filios meos et alios quorum nomina in literis regiis de remissione michi concessis plenius exprimuntur, quibuscunque regni fidelibus hucusque illatam satisfaccionem faciam et emendas terras et dominia in subiectis iuste regam et pro posse gubernabo, pacifice filios meos et homines et alios nobis adherentes subici faciam prompte et debite domino nostro regi legibus et consuetudinibus regni sui et iustificabiles fieri, et quod obedient et comparebunt justiciariis, vicecomitatibus, coronatoribus, et aliis ministris regiis, in singulis vicecomitatibus, prout melius et obediencius aliquo tempore bone memorie, domini regis Roberti predecessoris mei: et inhabitantes dictas terras et dominia sunt facere consueti, et quod respondebunt prompte, et debite, ministris regis de contribucionibus et aliis oneribus et seruiciis debitis imposterum et eciam de tempore retroacto, et in euentu quod aliquis vel aliqui infra dictas terras seu dominia, deliquerit vel deliquerint contra regem seu aliquos vel aliquem de suis fidelibus et iuri parere contempserit, seu contempserint, aut in premissis vel premissorum aliquo obedire noluerit, vel noluerint, ipsum seu ipsos tanquam inimicum vel inimicos et rebellem seu rebelles regis et regni dolo et fraude omnino remotis statim prosequar toto posse quousque a finibus terrarum et dominiorum expulsus vel expulsi fuerit vel fuerint aut ipsum vel ipsos parere fecero iuri communi, et ad hec omnia et singula facienda inplenda et fideliter obseruanda in predictorum prelatorum et procerum presencia corporale prestiti iuramentum; insuper et dedi et concessi obsides infra scriptos, videlicet Donnaldum, filium meum ex filia domini Senescali Scocie genitum Anagusium filium quondam Johannis filii mei et Donnaldum quemdam alium filium meum naturalem quos quia tempore confeccionis presentis presentialiter promptos et paratos non habui, ipsos intrare seu reddi faciam apud castrum de Dunbretane ad festum natalis Domini proximo iam futurum si potero alias citra vel ad festum Purificacionis beate Virginis proximo inde sequens sub pena infraccionis prestiti iuramenti et sub pena amissionis omnium que erga dominum nostrum regem amittere potero, quouis modo, ad quorum obsidum intracionem vt premittitur faciendam dominum meum dominum Senescallum Scocie Comitem de Strathern fideiussorem inueni cuius sigillum causa fideiussionis huiusmodi et eciam ad maiorem rei euidenciam vna cum sigillo meo proprio est appensum presentibus in testimonium premissorum Actum et datum anno die et loco predictis.[1]

LETTERS OO, page 237.

In the MS. Cartulary of Kelso, preserved in the valuable collection of the Faculty of Advocates, Edinburgh, is to be found the following interesting and curious Rent-roll of the possessions of that rich religious house, which throws great light on the state of the agriculture of ancient Scotland:—

Rotulus reddituum Monasterii de Kalchou tam de Temporalibus videlicet de antiquis firmis terrarum suarum, in burgis et extra burga, de antiquis exitibus grangiarum et Dominuorum suorum, quam de spiritualibus scilicet de pensionibus debetis in ecclesiis suis et de antique assedatione decimarum suarum ubi sub compendio factus.

[1] Robertson's Parliamentary Records, p. 115.

De Temporalibus.

Habent monachi dicti Monasterii in vicecomitatu de Rokisburg in temporalibus Grangiam de Reveden, cum villa in puram elemosynam: ubi habent dominium in quo colebant per quinque carucas, et ubi possint habere unum gregem ovium matricum circa xx et pasturam ad boves suos. Habent ibi *octo terras husbandorum, et unam bovatum terræ*, quarum quilibet fecit talia servicia aliquo tempore videlicet. Qualibet septimana in estate unum carragium cum uno equo apud Berwicum et portabit equus tres bollas bladi, vel duas bollas salis, vel unum bollam cum dimidia carbonum, et in hyeme fecerunt idem cariagium, sed non portavit equus nisi duas bollas bladi, unam et dimidiam bollam salis, unam bollam et ferloch carbonum: et qualibet septimana anni cum venerint de Berwic fecit quilibet terra unam dietam de opere sibi injuncto.

Item quum non venerunt apud Berwic coluerunt qualibet septimana per duos dies; et in autumno quum non venerunt apud Berwic fecerunt tres dietas; et tunc quilibet husbandus cepit cum terra sua (staht?) scil: duos boves unum equum tres celdras avine, sex bollas ordei, et tres bollas frumenti. Et postmodum quum Abbas Ricardus mutavit illud servicium in argentum reddiderunt sursum suum staht, et dedit quilibet pro terra sua per annum xviii solidos. . . . . Habent ibi decem et novem cotagia, quorum octo decem quodlibet reddit per annum xii d. et sex dietas in autumno recipiendo cibos suos; et adjuvabant circa locionem et tonsionem bidentum pro cibis suis; et decimum nonum cotagium reddit xviii d. et novem dietas. Item solebant ibi duæ braccine esse, que reddebant duas marcas per annum. Habent ibi molendinum quod solebat reddere per annum novem marcas. Habent apud Hauden unam carrucatam terræ quam semper habuerunt in manu sua.

Habent apud Sprouston duas *carucatas terræ* in Dominio ubi solebant colere cum duabas carucis, cum communi pastura dicte ville ad duodecim boves, quatuor assos et iii^{c} hoggass. Habent ibi unam *bovatam* terræ quam Hugo Cay tenuit que solebat reddere per annum x solidos. Habent ibi sex cotagia quarum unum quod est propinquum domui vicarii habet sex acras terræ sibi pertinentes cum bracina que solebat reddere per annum sex solidos. Apud Scottoun habent duas acras terræ et communem pasturam pro iiii^{c} multonibus, et habent licenciam fodiendi focale quantum voluerint in illa communia, et solebant haberi unum hominem in molendino ibidem et unum porcum, et ibi solebant molere bladum suum de Colpinhopis, sed nunc quod habent licenciam habendi molendinum apud Colpinhopis et molere bladum suum ad proprium molendinum dabunt annuatim molendino de Schottoun dimidiam marcam.

Habent in tenemento de Yetham juxta molendinum de Colpinhopis tres acras terre cum communi pastura de Yetham quas molendinarius de Colpinhopis solebat tenere, et ibi solebant monachi habere et facere receptaculum bonorum suorum de Colpinhopis quum viderint aliquid periculum ex altera parte. Apud Cliftoun habent septem acras terre quas dnus ecclesie de Mole dedit pro pane benedicto inveniendo.

Habent unam grangiam que vocatur Colpinopis ultra marchiam ubi possint colere cum duabus carucis pro tempore hiemali; et habere pasturam viginti boves et xx^{ti} vaccas, et post annum deponere sequelam suam, et v^{c} oves matrices et ii^{c} alios bidentes.

Apud Molle habent apud Altoriburn 1 acras terre arabilis et prati cum communi pastura ad iii^{c} bidentes cum libero introitu et excitu, et ad decem boves et iiii assos, et habebunt in bosco de Scrogges stac et flac pro omnibus suis firmandis, et virgas pro reparacione carucarum suarum. . . . .

Habent villam de Bolden in qua sunt viginti octo terre husbandorum quarum quilibet solebat reddere per annum vi sol. et viii denar. ad pentecostem et Sancti Martini, et faciendo talia servicia. Scil: metendo in autumpno per quatuor dies cum tota familia sua quilibet husbandus et uxor sua; et faciet similiter quintam dietam in autumpno cum duobus hominibus. Et quilibet cariabit unum plaustrum petarum vel pullis usque ad Abbatiam in œstate et non plus. Et quilibet husbandus faciet cariagium per unum equum de Berwick una vice per annum et habebunt victum suum de Monasterio quum faciunt hujusmodi servicium, et quilibet eorum solebat colere quolibet anno ad grangium de Newton unam

acram terre, et dimidiam acram, et herciabit cum uno equo per unum diem, et quilibet inveniet unum hominem in locotione bidentum et alium hominem in tonsione sine victu et respondebunt sibi de forinseco servicio et de aliis Sectis, et cariabunt bladum in autumpno cum uno plaustro per unum diem, et cariabunt lanam Abbatis de baronia usque ad Abbatiam et invenient sibi cariagia ultra moram versus Lesmahago. Abbas Ricardus mutavit illud servicium in denar. per assedacionem fratris Willmi de Alincromb. tunc Camerarii Sui.

The limits to which this note must be confined will not allow me to give further extracts from this curious manuscript rental, demonstrating the riches of the early monasteries. It appears, in the concluding pages of it, that Kelso possessed no less than thirty-four churches, the united rents of which amounted to the sum of v^{c} li lib. xi solid. iiii denarii.

The rental was drawn up previous to 1316.

LETTERS PP, pages 254, 255.

Slavery of the Lower Orders.

In the ancient manuscript Cartulary of Dunfermline, preserved in the library of the Faculty of Advocates, Edinburgh, and page 541 of the Macfarlane transcript, is to be found the deed entitled, "Perambulatio inter terras Abbatis de Dumferm. et terram David Hostiarii. scilicet Dunduf. 1231," which illustrates the comparative situation of the higher classes and the lower orders in the thirteenth century. A jury of *probi homines* are therein summoned by the precept of the king, to determine the marches between the lands of David Durward and the domain of the Abbacy, who take the evidence of the countrymen residing on the spot, and determine the question. The jury are the freemen; and their names are, with a few exceptions, Saxon and Norman names: the witnesses were evidently the *nativi bondi*, who were the property of their lord; and their names are almost exclusively Celtic.

In the same Cartulary, p. 592, will be found a deed entitled, "Assisa Super Alano, filio Constantini et duobus filiis," by which we find that, in 1340, an assize was held in the churchyard of Kartyl before David Wemyss, sheriff of Fife, to determine whether Alan, the son of Constantine, and his two sons, were the property of the Abbot of Dunfermline, or of the Earl of Fife; when it was found, "per fidelem assisam fide dignorum et nobilium," that these persons belonged to the Lord Abbot of Dunfermline. See the same Cartulary, p. 654, for the names of the slaves given by David, probably David the First, to the church of Dunfermline. Their names, Marcoran, Mevynir, Gyllemichael, Malmuren, Gillecrist, Gillemahagu, are, with one or two exceptions, Celtic.

LETTERS QQ, page 255.

State of the Lower Orders.

In the same valuable Cartulary, p. 145, are to be found many genealogies of the slaves, or bondmen, who belonged in property to the monastery, which shew how carefully the marriages, the families, and the residence, of this unfortunate class of men were recorded. I shall subjoin one of them:—

Genealogia Edillblac.

"Edillblac genuit W. de Lathanland, Willmus Constantinum, Constantinus Johannem qui vivit: Iste sunt homines de Dumferm. et remanentes. Gilbertus de Cupromal manet in Balnyr in schyra de Rerays. Galfr. de Dumberauch manens apud Dumberauch. Cristinus filius adæ manens apud Westerurchard Ego filius Gilberte manens in terra Ach de Kynros. Joannes filius Kynect manens apud Walwein, Oenenus freberner manens apud hichir mokedi. Patricius frater ejus manens apud Renkelouch Mauricius Colms. manens apud Petyn Kyr."

In other genealogies, the place of the death and burial of the bondman is particularly specified.

LETTERS RR, page 323.

Arms and Armour.

This assize of arms will be found in the manuscript Cartulary of Aberbrothoc, preserved in the Library of the Faculty of Advocates, Edinburgh. Macfarlane Transcript, p. 295.

"Quod quilibet homo de regno laicus habens decem libras in bonis habeat pro corpore suo in defensionem regni unam sufficientem aketonam, unum bacinetum et cyrotecas de guerre, cum lancea et gladio. Et qui non habuerit aketonam et bacinetum habeat unum habergellum, vel unum bonum ferrum pro corpore

suo, unum capellum de ferro et cyrotecas de guerra, ita quod quilibet sit paratus cum attyliis predictis citra octavas paschi proxime futuri. Et quecunque habens decem libras in bonis, non habuerit tunc omnia armorum attylia predicta, perdat omnia bona sua. Ita quod dnus rex habeat unam medietatem bonorum, et dnus illius qui in defectu fuerit repertus habeat aliam medietatem. Et dnus rex vult quod singuli vicecomites rgni cum dnis locorum inquirant super his, et faciant monstracionem statim post octavas Paschæ predictas. Praeterea dnus rex vult et precipit quod quicunque habens valorem unius vacce in bonis habeat unam bonam lanceam, vel unum bonum arcum, cum uno scafo sagittarum, videlicet viginti quatuor sagittis, cum pertinenciis sub pena prescripta."

LETTERS SS, page 325.

Dress of the Ladies.

I shall give the passage in the original, from the beautiful edition of this interesting and curious poem, published in 1814 by Didot:—

"Puis li revest en maintes guises
Robes faites par grans maistrises
De braus dras de soie, ou de laine
De scarlate ou de tirelaine,
De vert, de pers ou de brunete
De color fresche, fine et nete
Ou moult a riches pennes mises
Erminees, vaires ou grises
Puis les li oste, puis repoie
Cum li siet bien robe de soie
Cendaus, molequins Arrabis
Indes vermaus jaunes, et bis
Samis diapres, Camelos
Por neant fut ung angelos
Tant est de contenance simple
Autrefois li met une gimple
Et par dessus ung cuevrechief
Qui cuevre la gimple et le chief
Ains ne cuevre par le visage.
Qu'il ne vuet pas tenir l'usage
Des Sarrasins, qui d'estamines
Cuevre les vis as Sarrasines
Quant eus trespassent par le voie
Que nuz trespassans ne les voie
Tant sunt plein de jalouse rage
Autrefois le reprent corage
D'oster tout, et de mettre guindes
Jaunes, vermeilles, vers et indes.
Et tréceors gentiz et gresles
De soie et d'or à menus pesles,
Et dessus la crespine atache
Une moult precieuse atache
Et par dessus la crespinette
Une coronne d'or grelete
Ou moult ot precieuses pierres,
Et biaus chastons a quatre quierres
Et a quatre demi-compas
Sans ce que ge ne vous cont pas
L'autre perrerie menue
Qui siet entor espece et drue
Et met à ses deus oreillettes
Deus verges d'or pendans greletes
Et por tenir la cheveçaille
Deus fermaus d'or pendans greletes
En mi le pis ung en remet
Et de li ceindre s'entremet;
Mes c'est d'ung si tres-riche ceint
C'onques pucele tel ne ceint.
Et pent au ceint une aumosniere
Qui moult est precieuse et chiere
Et cinq pierres i met petites
Du rivage de mer eslites.
Dont puceles as martiaus gevent
Quant beles et rondes les trevent
Et par 'grant ententi li chauce
Et chacun pie soler et chauce
Entaillies jolivetement
A deus doie du pavement
N'ert pas de hosiaus estrenee
Car el n'ert pas de Paris nee
Trop par fust rude chaucemente
A pucele de tel jovente
D'une aguille bien afilee
D'or fin de fil d'or enfilee
Li a, por miex estre vestues
Ses deux manches estroit cosues
Puis li baille fiors novellettes
Dont ces jolies puceletes
Font en printemps lors chapelez
Et pelotes et oiselez
Et diverses choses noveles
Delitables as damoisles.
Et chapeles de fiors li fait
Mes n'en veistes nul si fait
Car il met s'entente toute
Anelez d'or es dois li boute
Et dit cum fins loiaus espous
Bele donie, ci vous espous
Et deviens vostres et vous moie
Ymeneus et Juno m'oie
Qu'il voillent a nos noces estre
Ge'ni quier plus ni clere ne prestre,
Ne de Prelaz mitres ne croces
Car cil sunt li vrai diex des noces.

Pp. 294-298 inclusive, vol. iii.

LETTERS TT, page 327.

It is not conceivable, says Mr Thomson, from whom I have procured some information on this obscure subject, that this claim of the Earl of Douglas could have any other basis than a revival of the right of the Baliol family, whose titles appear to have devolved at this period on the Earl of Douglas. John Baliol, it is well known, left a son, Edward, whom we have seen crowned King of Scotland in 1332, who afterwards died in obscurity, and without children. (History, vol. ii. pp. 16, 90.) The right of the Baliol family upon this reverted to the descendants of Alexander de Baliol of Kavers, brother of King John Baliol;[1] and we find that, in the reign of David the Second, the repre-

[1] Dugdale's Baronage, vol. i. p. 525.

sentative of this Alexander de Baliol was Isobel de Baliol, Comitissa de Mar, who married Donald, twelfth earl of Mar. This lady, it appears, by a deed in the Rotuli Scotiæ, vol. i. p. 708, married, secondly, William de Careswell, who, during the minority of her son, Thomas, thirteenth Earl of Mar, Lord of Garryach and Cavers, obtained from Edward the Third "the custody of all the lands which belonged to Isabella the late Countess of Mar, his consort." Thomas, earl of Mar, died without issue, but he left a sister, Margaret, who succeeded her brother, and became Countess of Mar in her own right. She married for her first husband William, earl of Douglas, who, in her right, became Earl of Mar; and, as possessing through her the right of the house of Baliol, upon this ground laid claim to the crown

Winton, vol. ii. p. 304, does not men

tion the ground upon which the Earl o

Douglas disputed the throne with Ro

bert the Second. But the ancient manu

script, entitled "Extracta ex Chronici

Scotiæ," fol. 225, is more explicit. It

words are, "Dowglace Willmus Come

manu valida militari, coram eis com

paruit allegans jus corone et succession

in regnum ad se ex parte Cuminensium

et Balliorum pertinere." And this is co

roborated by Bower, Fordun a Gooda

vol. ii. p. 382. Douglas's right throug

his wife we have just explained; and

may refer to a paper on the ancien

lordship of Galloway, in the ninth vo

ume of the Archæologia, p. 49, by M

Riddell, for an explanation of his titl

through the Comyns.

END OF VOL. I.

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